

## INTRODUCTION TO THE GENERAL HISTORY OF THE SWISS REPUBLIC

### CHAPTER I

*State of Germany and Switzerland — House of Austria — The Nobility — The Clergy — The Free Cities — The Three Republican Cantons — Ambition of Albert I. — Tyranny of his Governors — Conspiracy — Uprising of the Swiss — Death of Albert I. — Henry VII. — Frederic of Austria and Louis of Bavaria — Battle of Morgarten — Perpetual Alliance of the three Cantons — Foundation of the Helvetic League*

SWITZERLAND is situated in the middle of Europe, between France, Italy, and Germany. Its width from Basle to Mount St. Bernard is about forty-two leagues, and its greatest extent from Geneva to the Lake of Constance does not exceed seventy leagues. All the southern and eastern portion of this province is covered by the enormous mountain mass of the Alps, and constitutes the summit of that chain which extends from the Adriatic to the Mediterranean. It is in the heart of these mountains that the rains have hollowed out a thousand inexhaustible reservoirs whose channels descend, carrying plenty to the farthest ends of Europe.

On one side the Rhine issues from the foot of Mount St. Gothard, embracing in its tranquil course a great portion of the present boundary line of Switzerland, which it divides from Germany. Issuing from the Lake of Constance, this river receives, as tributaries, the Aar, the Reuss, and the Limmat, which unite after watering the interior of the country; then it turns northward and is lost among the sand-dunes

of Holland. On the south, the Rhone plunges with fury from the same mountain-height, and flows through the Lake of Geneva to mingle later, beneath the walls of Lyons, its rapid stream with the sluggish waters of the Saône. The Alps, as they fall gradually away toward the plain, present less arid slopes which are cultivated by free and industrious labour. These mountains rise again farther on to form that chain which, under the name of Jura, extends from the Rhone to the Rhine, and serves Switzerland as a rampart against Burgundy.

Toward the close of the thirteenth century Switzerland was still a province of the German empire. This great body was emerging from anarchy, and its political constitution was already assuming the singular form which it has preserved to the present day. The imperial authority was the victim of a revolution which events had been preparing for a long time.

Frederic II., a ruler worthy of another age and of a happier fate, strove with more constancy than success against the ambition of the nobles, the fanaticism of the people, and the policy of the court of Rome.

The Italian cities, enriched by their commerce and proud of their riches, ranged themselves with ardour under the standard of the pontiffs, which, for them, was that of liberty. While the emperor was pursuing in Italy a phantom of power which always eluded him, the princes of Germany broke the feeble bonds which still united them to their sovereign, usurped his rights, his dominions, and his revenues, and arrogated to themselves in their respective provinces an independent and hereditary authority. The death of Frederic put a climax to the public disorder and the empire appeared about to resolve itself again into that state of nature where each man, freed from the restraint of law, becomes the enemy of his neighbour.

After an interregnum of twenty-five years the electors yielded reluctantly to the clamorous demands of the nation

for a head.<sup>1</sup> They finally assembled at Frankfort, where Rudolph, Count of Hapsburg, incited the suffrages of an assembly whose esteem he merited and whose jealousy he did not arouse. His virtues justified their choice; his administration, at once firm and mild, soon restored peace to the empire and vigour to the laws. He never allowed himself to be seduced by the vain ambition of subjecting Italy to the sway of a Roman empire which has ceased to exist. He always respected the rights and even the usurpations of the princes, and wisely preferred his own tranquillity, and that of his country, to ambitious claims to a dignity which was probably soon to pass into the hands of strangers. He, therefore, confined his designs to the firm establishment of his own house, the emperors still retaining the right of conferring a new investiture of fiefs whenever these lapsed to the empire. The calamities of this epoch afforded Rudolph the most fortunate opportunities for exercising this right in favour of his sons. After he had fortified his authority by ten years of victory, he assembled all the orders of the state at the Diet of Augsburg. Under the eyes of this assembly his two sons, Albert and Rudolph,<sup>2</sup> were invested by their father with the duchies of Austria and Swabia, two provinces which had been without a master since the death of Frederic and Conradin, whom their unhappy fate had led to Naples, there to perish on the scaffold. The young princes were the last offshoots of the ancient houses of Austria and Swabia.

The duchy of Austria was one of the most important fiefs of the empire. Its fertile plains were occupied by a numerous population trained to arms by continual war

<sup>1</sup> The emperors were elected in the beginning by the entire body of the German nobility, but about this time the seven chief officers of the imperial household, who had always had a prominent share in the elections, began to claim exclusive rights thereto. Their claim was successful and was finally confirmed by the Golden Bull.

<sup>2</sup> Archduke Rudolph died before his father.

waged with the Hungarians and Bohemians. The liberality of Frederic Barbarossa had exempted the rulers of Austria from all the onerous services pertaining to a member of the empire, while preserving to them all the honours and advantages thereof.

The duchy of Swabia or Alemania was of great extent, comprising the lands upon which the ancient German tribes (Allemands) had settled, including the Swabian circle, Alsace, and the greater part of Switzerland. Its dukes had often bestowed the imperial crown and had worn it themselves for over a century. The Emperor Philip of Swabia was the first to purchase the fidelity of his vassals at the cost of his rights and dominions, which he surrendered to them. Frederic II., in his turn, found himself attacked by swarms of enemies who sought to win heaven by decimating the patrimony of a tyrant condemned by Holy Church. The papal party thought themselves justified in seizing everything from him, his friends contented themselves with demanding everything. Finally the interregnum destroyed the last remnants of authority of the dukes of Swabia; and when the sons of Rudolph were invested with that vain title, they received nothing but a domain hard to discover and sovereignty no longer recognised. One circumstance alone rendered this possession one of great price in the eyes of the counts of Hapsburg. They were established here in the cradle of their race. Near the junction of the Aar and the Reuss rose an ancient castle, built upon the ruins of Vindonicia, more ancient still.<sup>1</sup>

<sup>1</sup> On this spot a small enclosure exhibits monuments of every century. First can still be traced the ruins of Vindonicia, the Roman city destroyed in the fourth century by the Allemands, against whom it had served as a rampart. Here was the camp of the twenty-third legion and the seat of the bishops of Constance. A little further on the donjon keep of the Hapsburgs presents an image of feudal tyranny — the cradle of twenty emperors. The still more formidable ruins of the Abbey of Königsfeld are trophies of the overthrow of superstition. Finally, the little town of Bruck, which completes the landscape, offers in its cleanliness and industry a comparison favourable to our own age.



The few gleams of light that illuminate that remote past show us Rudolph's earliest ancestors about the beginning of the eleventh century, and thenceforth we follow without interruption the progress of a noble line which distinguishes itself by the usual prowess in tournaments, crusades, brigandage, and pious endowments. To the possessions of his father Rudolph added the rich inheritance of his mother, only daughter of the last descendant of the ancient Counts of Kyburg.<sup>1</sup>

A domain extending over the finest counties of upper Germany, the prestige of imperial rank, and a fortunate combination of circumstances encouraged him to hope that he might some day make the authority of the House of Austria supreme from the Lake of Constance to that of Geneva.<sup>2</sup> Thirty years of war and intrigue had developed in his dominions that bewildering variety of customs, interests, and prejudices which one encounters only among a free people, and had taught him at the same time the art of making them all converge toward a single end of which he never lost sight. He preserved on the imperial throne the modest

<sup>1</sup> Rudolph was possessor of five of the finest counties in upper Germany: to wit, those of Hapsburg, Kyburg, Lenzburg, Baden, and Sempach; those of Zöffingen, Aarau, and Bruck in Aargau, the cities of Winterthur, Frauenfeld, and Dussenhofen in Turgovia, with the district of Gastern and Zug, and many other boroughs and villages. The county of Baden and the canton of Zug have always preserved their ancient limits; Aargau and Turgovia are well known. It is difficult to designate clearly the other territories, which are absorbed into the cantons of Zurich and Lucerne, of which they comprised almost the whole level country.

<sup>2</sup> The Alemani and the Burgundians had shared Switzerland between them since the fifth century in two somewhat unequal portions, which were always distinguished from each other by their laws and language. The Reuss and the Aar mark their frontiers. Alemannia formed originally a part of the kingdom of Austrasia and later of the empire. Transjurane Burgundy, as it was called, was conquered by the French and subsequently ruled by its own kings, the last of whom left it by will to the Emperor Conrad the Salic in 1032. The Dukes of Zähringen long governed it in the name of the empire. During the anarchy following on the death of Berthold, last duke of Zähringen, these divisions of Switzerland were gradually blended into one.

simplicity of his early station. A master over minds, he subjugated them equally by love and terror, and his crafty ambition was the more formidable for being disguised beneath a semblance of frankness and moderation. The far-reaching conquest which he meditated could only be the result of time and patience. Emperor Rudolph's life-work was not without success, but death compelled him to leave to his son Albert his unachieved designs, his maxims, and his example. Political success, however, is less dependent on reason than on character, and of his father's character Albert had inherited nothing but valour and ambition. His harsh and ferocious nature, which had displayed itself from early youth, terrified the electors, and caused them to give the preference to his rival, Adolphus, Count of Nassau; but the imprudent conduct of the new emperor speedily led them to repent their choice. Albert took advantage of the general discontent to arouse all Germany against a prince whom it despised. Civil war decided the question of their rights, the unhappy Adolphus perishing by the hands of the Duke of Austria, who was at once recognised throughout the empire as its legitimate sovereign.

Albert brought with him to the throne the pride of conqueror and all the prejudices of a party leader, and his conduct shortly betrayed the influence of these passions.

A numerous and independent nobility formed the first obstacle to the designs of Rudolph and his son. Fifty counts, five hundred barons, and nearly a thousand lesser nobles, crushed beneath the weight of their castles the earth that bore them, and gloried in owing allegiance only to the empire and their own swords. It was easier to flatter than to subdue the pride of this warlike order, who were by turns the slaves and the rivals of their prince, while always the enemies of the people, of law, and of liberty.<sup>1</sup>

<sup>1</sup> I shall soon have occasion to speak of a rare and perhaps unique exception to this general rule.

The Dukes of Austria took pleasure in assembling this nobility at their courts for brilliant tilts and tournaments, in softening the coarseness of their manners by the virtuous institutions of chivalry, and in leading them to battle and to victory.<sup>1</sup>

Loaded with riches and honours, these proud gentlemen returned to their homes full of attachment toward their benefactor and of scorn for their gloomy strongholds, whose power was founded upon the general misery.

These castles were the refuge of injustice, while all commerce was interrupted by the most shameful brigandage. Rudolph and his son soon quelled these disorders by the destruction of a number of the fortresses belonging to the guiltiest of the nobles. The entire empire applauded their punishment, and the authority of the Dukes of Austria was identified with that of the laws.

All bowed beneath their yoke and acknowledged themselves vassals of the House of Austria, with the exception of a small number of counts, among whom we must distinguish the Counts of Savoy, who had made themselves masters of the canton of Vaud and were silently laying the foundations of their future greatness.

Meanwhile the ecclesiastical order had acquired more by policy than the nobles by violence. The bishops of Basle and Constance took rank among the highest princes, while other ecclesiastics ranked little below them; and Switzerland was full of religious houses upon which the pious

<sup>1</sup> From its cradle the House of Austria had adopted the maxim of tyrants: to conciliate the soldiery and despise the people. Werner, bishop of Strasburg, had given in the year 1026 a considerable sum to his brother Radbert to construct the castle of Hapsburg. On visiting him shortly after, he showed himself ill pleased with the activity shown by his brother. "Wait," Radbert said to him, "until to-morrow!" On the following morning the bishop saw with affright a numerous armed band surrounding the castle. "This troop," his brother informed him, "consists of all the nobility of the neighbourhood whom my largesses have attached to our house. These are the fortifications you desired. Do you know any stronger ones?"

profusion of the faithful had lavished all the wealth of the land.

These ecclesiastics despised the arts by which their predecessors had risen to greatness, and the people had ceased to distinguish them from the lay nobility except by their superior luxury and arrogance.

It would have been dangerous, however, to despoil them of the wealth consecrated by superstition if they had not themselves consented to hand it over to the Dukes of Austria. Some sold to them the patrimony of the Church in order to enrich their families at the expense of their order. Others accepted the dukes as feudal lords under the title of advocate or protector.<sup>1</sup>

The bishop of Baden, the abbot of St. Gall, and the abbess of Zurich had, however, the courage to resist the threats and insinuations of Rudolph and his son.

If the Church did in fact possess immense riches, history, which judges men without favour and without malice, must admit that their source was not always impure, and that they were often employed for the benefit of mankind. At the time when a barbarous nobility abandoned itself exclusively to the savage pastimes of war and the chase, the sacred torch of the humane arts was still upheld by the hand of the priest. Extensive tracts of land, sometimes whole provinces, became the recompense of their piety; but these lands consisted for the most part of swamps to be drained, forests to be hewn down, deserts to be tilled. The country soon

<sup>1</sup> In order that my readers may form some idea of the causes of ecclesiastic greatness and decadence, I venture to refer them to the dissertations of the learned Muratori upon Italian antiquities. They will find there profound erudition united to sound criticism and a judicious boldness. He has written of Italy, but the chief outlines of his work and even most of his details are equally applicable to all the countries which constituted the empire of Charlemagne. It would appear that in that barbarous age, two opposing principles reigned together; one being to bestow everything on the Church, the other to wrest everything from it. The same man often experienced both impulses, and old age was spent in making restitution for the sacrileges of youth.

changed its aspect, thousands of serfs, fleeing from the tyranny of their masters, sought refuge at the foot of the altar, devoting themselves and their posterity to the service of the saint to whom the sanctuary was dedicated. Numerous communities were thus formed about these churches, ramparts were raised, and laws established. Most of the towns of Germany and Switzerland have no other origin. The humanity, shall I call it? or policy of their masters soon freed these communities from the servitude to which they were subjected, and industry, which follows in the steps of freedom, furnished them with the means of purchasing immunity from the most onerous feudal service. Their privileges were not all the same; some, assuming the imposing title of imperial cities, became at once free and independent; others were almost entirely subservient to their bishop or abbot; but all had a council which administered justice, and a banner around which the burghers rallied when called upon to take up arms. Several of these communities, convinced of the advantages of their position, had stipulated that their prince should never give them up to new masters, but this condition did not prevent the abbot of Murbach from selling the city of Lucerne to the emperor Albert; while the abbess of Seckingen, in despite of her oath, acknowledged that prince and his descendants as her perpetual "advocates" for the lands of Glaris.

Basle, Zurich, Soleure, St. Gall, Schaffhausen, and several other Swiss towns were not subjected to the same yoke. They were saved by their own strength or by the fidelity of the prelates who ruled them.

The two cities of Berne and Freiburg enjoyed a liberty still more absolute, of which the origin dated back to their founder, Berthold V., Duke of Zähringen. This prince, with the design of making them a rampart against the nobility of his states, granted them an advantageous site, countless privileges, and a military constitution. He died after recommending them always to love each other and never to forgive

the barons who had brought destruction on the house of their benefactor. Freiburg, the less powerful of the two cities, speedily forgot so dangerous a counsel and sought repose and safety in submission to the House of Austria. Berne maintained its independence, choosing protectors more than once, but never a master; practised the military and political virtues, won victories over the neighbouring lords, dared to resist even the Emperor Rudolph himself, and saw the fortunes of that monarch perish beneath its walls. All these cities were the slow growth of time and human labour, but there existed in the heart of the Alps obscure communities whose vigorous and manly freedom seemed to be the work of nature alone. The three forest cantons of Uri, Schwyz, and Unterwalden formed a territory which extended nearly sixteen leagues from north to south and whose greatest width from east to west was twelve leagues.

Mount St. Gothard, the southern boundary of this territory, amid its myriad streams that water Europe, gives rise to an impetuous torrent, the Reuss, which, rushing through the long, narrow valley of Uri, empties at last into a lake that separates the canton of Schwyz from those of Unterwalden and Lucerne. This whole region is covered with mountains whose summits disclose only precipitous rocks and pine forests bending beneath their weight of snow. Their slopes, however, offer during the summer abundant pasturage to the flocks and herds which constitute the wealth of these mountaineers and afford their most lucrative branch of rural commerce.<sup>1</sup> They have carried their industry so far as to sow wheat in the least sterile valleys, but the poor and

<sup>1</sup> Oswald Myconius of Lucerne, in a chronicle of the early part of the sixteenth century, gives a useful commentary on an exceedingly bad poem by his friend Henry Glareanus. He waxes enthusiastic over the great commerce in butter and cheese carried on by his countrymen with Burgundy, Swabia, and Italy. According to his calculation, a herd of twenty cows brings in to its master a net profit of one hundred marks a year. This instance is a striking one for the sixteenth century.

uncertain harvests often betray the hopes of the farmer and oblige him to have recourse to foreign aid. A keen air, an ungrateful soil, and a hard life have formed the character of these people. They owe to these conditions their strong, robust bodies, ardent passions, coarse but healthy appetites, and simple, virtuous habits. The Swiss mountaineer ✓cherished his family and his comrades, respected religion and law, scorned fatigue, braved death, and feared nothing but infamy. Liberty was dear to him, and that independence ✓which is born of equality, of fortune, and of conscious strength ✓was the mainspring of his soul. The government of the three forest cantons was that of nature, and this government has lasted to our own day. The legislative power devolved ✓on the general assembly of the citizens. Here all ranks mingled, the suffrage was equal; and the sovereign people, jealous of its dignity, confided to its annually elected magistrates only the authority necessary to the maintenance of law and order. The noble and the peasant, mingling in these assemblies, learned mutual respect and grew accustomed to the idea that the primary distinction among men is that founded on the talents useful to society.

I willingly pardon the Swiss historians the fables with which they have sought to embellish the early history of their nation, but I spare this philosophic generation an account of the Tauriscans, the Goths and the Huns, among whom they have sought their ancestors.

It is not until the beginning of the twelfth century that I perceive the cantons of Uri, Schwyz, and Unterwalden divided into three free and allied communities, independent, but subject to the empire and its ruler, who sent judges to them at times to decide their criminal trials in last resort.

A judgment which the Emperor Conrad III. pronounced against them, appeared to them an act of injustice which they could not endure, and they accordingly announced to him, by a public declaration, "That they had placed themselves voluntarily under the protection of the empire, that

they had merited this protection by important services; that this protectorate having become useless and dangerous to them, they renounced it forever for themselves and their posterity." They persisted for over a century in this resolution, by which they braved the imperial authority. Otho IV. and Frederic II. finally induced them to receive bailiffs and judges at their hands. It was at this time that they received the famous charter (or everlasting compact) which recognises their independence, receives their free homage, and promises never to separate them from the body of the empire. During the long interregnum they besought Rudolph of Hapsburg to be their defender, and this prince, on mounting the imperial throne, still extended his protection to them and never infringed upon their privileges. His son Albert, however, had conceived very different designs. He saw with indignation that a handful of mountaineers in the heart of his realm, dared to call themselves free. He resolved to employ at once all the power of his house and all the authority of his position to reduce them beneath the Austrian yoke. He was unjust enough to reproach them with the fidelity they had shown to the empire and in his anger a threat escaped him that he would punish as well as subdue them.

It was in vain that the three cantons strove to regain his good-will, and to obtain the ratification of their privileges, which they demanded by repeated deputations. While postponing this act of justice on the most frivolous pretexts, he treated secretly with the ecclesiastical bodies which possessed lands or rights in the country. The college of Münster surrendered to him all its claims over the cantons of Unterwalden, Schwyz, and Uri, and the abbey of Wettingen sold him all the service which a part of the inhabitants of Schwyz owed to its church. The prefecture of the valley of Unseren, of which he conferred the fief upon his son, made him master of the mountain passes and of all the commerce of the canton of Uri.

He still flattered himself that the Swiss who were in the



habit of crossing his territories would imbibe, from the talk of his subjects, ideas more favourable to his sovereign authority.

These projects would perhaps have succeeded, if the impatient nature of Albert had permitted him to await their gradual result ; but already persuaded that all obstacles were removed and that the three cantons were disposed to recognise him as their sovereign, he sent them an embassy, composed of the most distinguished ministers of his court, charged to receive their homage and oaths of allegiance. These envoys were instructed as to the arguments they were to employ, such as : the strength of the House of Austria, the weakness of the Germanic empire, all the advantages of a voluntary submission, and the terrible rights of conquest, which they were not in a position to resist. They were to add that the feudal rights which the emperor had acquired embraced in their totality the entire country and would become more onerous than the service which a great monarch is accustomed to exact of his vassals. The ministers were heard in the general assembly of each canton. The answer made them was everywhere the same and everywhere unanimous : " That the Swiss accepted with pleasure the friendship of the House of Austria, that they revered the Imperial Majesty, but that they were subject only to the empire whose interests and whose glory they had so often sustained. That it was not permitted to them to deliberate upon Albert's propositions. That they appealed to the constitution of the empire, to the compacts of his predecessors, to the memory of his father, and to his own sense of duty. That they were ready to render to the religious houses all the service to which the piety of their ancestors had pledged them, but that they would not allow their freedom as men to be bartered and would never sacrifice that of their posterity."

Albert was keenly irritated by so natural a refusal, but one which he had not expected. Prudence, however, induced him to disguise his indignation. The Swiss had appealed to their

title as free members of the empire, a title formerly contemptible in their eyes, but which the Austrian power now rendered precious to them. In attacking a people recognised as free, and who invoked the sacred name of liberty, he ran the risk of arousing the jealousy of all Germany.

The fires of discord were smouldering beneath their ashes, and the fate of Adolphus was a terrifying lesson for his successor. Without losing sight of his designs upon the three cantons, this haughty prince did not disdain to substitute artifice for force. After having vainly attempted to subject the Swiss to his tribunals of Lucerne and Zug and to confound the Austrian jurisdiction with that of the empire, he finally granted their reiterated demand of the previous six years for governors who should decide their criminal trials in the name of the empire. He, however, granted them governors resembling only in name those whom his predecessors had appointed, who had been drawn from the first rank of the neighbouring provinces, and never visited Switzerland except when called thither to hold their general assizes. In place of these benevolent ministers of peace and order, the Swiss witnessed with alarm the arrival of two satellites of the tyrant, noblemen indeed, but all the more disposed on that account to oppress a people whom they despised. Gessler, one of these governors, had the department of Uri and Schwyz; Landenberg, his colleague, was to rule the canton of the Unterwalden. They established themselves in the strongest castles of the region which the House of Austria had acquired, set to work to restore their fortifications, and manned them with strong garrisons of mercenary troops. It is with astonishment that we see the Swiss submitting without the least resistance to a yoke which left them only the name of freedom. But there are occasions when nations seem to forget their character. The authority of the empire, the power of Austria, and the adroit boldness with which Albert had made use of both, daunted their courage and left them only a sense of their misery. The first measures of

the governors appeared to be dictated by a spirit of humanity and clemency, but when they perceived that their artifices did not charm the coarse minds of these mountaineers, they abandoned themselves gladly to their natural harshness and to the orders of their masters. A military despotism succeeded the mild and equal laws which the Swiss had inherited from their ancestors. All their ancient privileges were daily violated; slight or suspected offences were punished by excessive and arbitrary fines; citizens torn from the bosom of their families languished in cells, while their countrymen, weighed down under a crushing load of taxes and forced labour, were obliged to work at constructing the very fortresses which were the visible sign and instrument of their slavery.

To oppression, which the people can sometimes pardon, the ministers of Austrian tyranny added that contempt which they never forgive. On the public square of Altorf, Gessler erected a pole, upon which his hat was hung, and exacted that all passers-by should render to this hat the same homage that they would have paid to the emperor's person or his representative. This humiliating ceremony served not only to flatter the ridiculous vanity of a tyrant, but also to discover which were those free souls who still preserved the just pride of their former estate. The governors were especially bent on finding out what citizens had dissuaded their countrymen from submitting to the emperor and continued to receive from them the esteem due to their virtues. By this public esteem Henry von Melchthal was denounced to the governor of Unterwalden as his first victim. This respectable farmer was peacefully at work tilling his father's fields when an emissary of Landenberg's announced to him that he had come to confiscate the oxen with which he was ploughing, as a fine for some trifling misdeed committed by his eldest son. This officer acquitted himself of his commission with all the insolence of a hireling, threatening to harness the peasants to their own plough. At this insult the wise old man only sighed and kept silence; but his son, moved by the thoughtless

anger of youth, resisted the officer, who was trying to unyoke the oxen, broke one of his fingers with a blow of his stick, and immediately fled for refuge to the canton of Uri. He was sufficiently punished by being obliged to leave his unhappy father exposed to all the cruelty of Landenberg. The governor caused him to be arrested in the vain hope of forcing him to reveal his son's place of retreat, but finally, furious at being unable to tear the secret from him, he confiscated his property and put out his eyes.

Reverence for the honour of woman is bound up with the most sensitive feelings of the human heart and those crimes which carry trouble and bitterness into the bosom of the family have given rise to more than one revolution. Young Wolfenscheissen of Rötzberg was riding through the country under Landenberg's orders, attended only by two servants, when he caught sight of a young woman at work in a field. Stopping a moment to gaze at her, he was struck by her rustic beauty, enhanced by happiness, health, and modesty. He opened conversation by inquiring for her husband. This man, whose name was Baumgarten, was really working at the moment in the neighbouring forest, but his timorous wife, who beheld in the bailiff a minister of vengeance rather than of grace, thought to protect him by inventing a story of his being absent on a journey. Charmed by so propitious a chance, the governor begged her to conduct him to her house for some needed refreshment. On reaching there, he declared the passion with which she had inspired him, pressed her to respond to it, and allowed her to see the danger of an imprudent refusal. This the poor woman realised and a new terror took possession of her mind. Alone and unprotected as she was, aware of the governor's power and not ignorant of his character, she thought herself lost. Artifice is natural to woman; well for her if she employ it only in the interests of virtue. "My lord," she cried, casting down her eyes, "spare the delicacy of a woman who loves you; we are not alone, send away your servants." "I will send them

away immediately," cried the governor in a transport of delight. Seizing the moment while he had gone out to dismiss them, she fled from the house and ran towards the wood, where she soon met her husband returning home from his work. His wife's disordered appearance, her sobs, and broken words, revealed to him the danger she had escaped. "God be praised, dear wife," he cried, "for having this day preserved your honour and my peace of mind. My insolent wrath is just and I hasten to destroy him." He found the governor alone and unarmed, and instantly cleft open his skull with one blow of the axe. The canton of Uri became his refuge and hiding-place from his enemies. Landenberg, the governor, wished to persuade the other lords of Wolfenscheissen to pursue the murderer of their brother, but they replied that their brother had deserved his fate, and the wrath of the injured husband, though condemned by law, was justified by the sentiments of a virtuous people.

The death of Wolfenscheissen had freed the country from a tyrant, but it still groaned beneath the yoke of tyranny. The three cantons finally resolved to make a last appeal to the emperor. Their deputies were charged to represent the extent of their miseries, and to implore Albert to recall his ministers and no longer make his glory consist in oppressing a people who still respected him. This arrogant prince did not condescend to receive the deputies in person, but referred them to his council, whose harsh and inflexible tone announced but too clearly the humour of their master. They informed the envoys that in order to merit the favour of the emperor they must recognise his authority; but that they would experience only his just displeasure so long as they ventured to assert their so-called freedom. The return of the deputation spread despair throughout the country, but the despair of a warlike people is akin to wrath. Everywhere were there outcries of indignation which they no longer deigned to dissimulate. "Why bow our heads longer beneath the yoke of a master whose pride is increased by our cowardly for-

bearance? Our privileges are violated, we are despoiled of our possessions, but our arms are left to us; we are free as soon as we resolve to use them."

The misfortunes of the country were the one topic of discussion among all good citizens. They mourned these misfortunes, but still feared the Austrian power. All minds were disposed for revolt, but there was still lacking a master mind which should set in motion this great undertaking.

Werner von Stauffacher was descended from one of the leading families of Schwyz, where the memory of his father was revered, the canton being indebted to him for an advantageous treaty with the city of Zurich. His son had inherited his large fortune together with his love of country and the public esteem. Love of country had indeed become a sad and bitter sentiment to a citizen who could offer to it nothing but powerless regrets. ✓

Seated one day before his door, Stauffacher saw the governor, Gessler, riding by. The latter stopped and asked him in a haughty tone who was the proprietor of this estate. Stauffacher's respectful and dignified reply afforded him no pretext for injuring a man whose virtues he detested; nevertheless he retorted angrily that the emperor or his representative was the sole proprietor in the land and would know how to abase the pride and opulence of peasants who claimed to be nobles.

These words filled Werner's soul with shame and indignation, which he at once poured into the ear of his wife. Knowing her tenderness, prudence, and courage, he did not hesitate to confide to her the plan he had conceived for sounding the minds of his countrymen and proving whether liberty was still dear to the Swiss heart. "Go, my dear husband," replied his brave wife, "your life is precious to me, but your honour is still more so. A true patriot ought not to survive his country; avenge yours or perish with her! Our tyrants have enemies wherever virtue exists; you will find friends among them, worthy of being associated with your generous

designs. You will have the testimony of your conscience, the approval of your Maker, the good wishes of all the just men, and the gratitude of posterity." She then advised him to concert his measures with friends in Uri. He followed her counsels and shortly after undertook this journey without arousing the suspicion of his masters.

He studied carefully the state of opinion in this province and discovered that the Austrian name was held in horror. He heard Baron von Attinghausen, first magistrate of the canton, complain of Gessler's insolence; he was a witness to the indignation of his own nephew, the lord of Rudenz. He feared, however, to communicate to them projects as dangerous as his. He confided only in his old friend Walther Fürst, who fully justified his confidence and proposed to him to associate with them Arnold von Melchthal, a sworn enemy of their tyrant and one whose credit would be useful in attracting to their party the canton of Unterwalden. These three men pledged themselves by a somewhat needless oath to suffer all and dare all to break their fetters, but to perform all the services to the state which justice required of them. The three confederates parted after forming this covenant. Each returned to his own country, there to lay the foundations of their alliance. Noblemen and commoners, united by misfortune, were groaning beneath the same yoke and hating it alike, but extreme caution was required to distinguish among the malcontents the small number whose courage and fidelity made them worthy of such a confidence. These they conducted secretly to the general rendezvous which they had appointed at Rütlin, a retired spot on the shores of the lake, well calculated to elude the vigilance of their enemies. There they revealed to these partisans their momentous secret, a sacred trust involving the lives of their friends and the future hopes of Switzerland. They all devoted themselves by the same oath to the general principles of the alliance, and on their return home they worked with the same precautions to spread them. Their number increased

at each meeting, and this society, united by the ties of virtue and friendship, became each day more formidable.<sup>1</sup>

They felt at last that their forces were sufficient and that it was only a question of employing them. They assembled for the last time, to the number of one hundred and twelve citizens, in order to decide on the moment of their enterprise and to deliberate on the means. Some wished to take up arms at once, and blushed already at their long patience; but this impetuosity gave way before the wise counsels of their leaders, whose courage, of a rarer and quieter order, saw without dread the full extent of their danger. They represented to the assembly that there was but one available moment for the achievement of such an enterprise, and that this priceless moment must kindle the whole country with the same spark; that their first object was to wrest from the tyrants those hated strongholds which they had fortified with such care, but that, instead of trusting to the dangers and uncertainties of a siege, they must seek to make themselves masters of these fortresses by surprise. They advised their Unterwalden allies to deliberate on the most suitable means for attaining this end,<sup>2</sup> and in order to give them time, they agreed to postpone the enterprise until the first day of the new year, and meanwhile to oppose only respect and submission to the injustice of their rulers. This interval was of two months' duration, yet they did not fear to confide the heavy burden of so dangerous a secret to the discretion of over a hundred persons.

<sup>1</sup> They called themselves *Eidgenossen*, which signifies sworn allies, a term used later to designate the entire nation. This conspiracy must in fact be regarded as the germ of the Helvetic confederation. Foreign writers have taunted the Swiss with the lowly station of these first confederates, calling them mere obscure peasants. The reproach is at once absurd and unjust. A considerable number of nobles had the honour of being admitted among these respectable men, such as the Baron von Attinghausen and several others, whose barbarous names our readers will dispense us from recording. They would not forgive me, however, were I to forget the worthy Baumgarten, who was associated with the first confederates.

<sup>2</sup> The two castles of Sarnen and Rötzbürg were situated in this territory.



One only of the conspirators risked, through pride it is said, the safety of his companions, but his rashness, boldly maintained and crowned with success, has become the source of his fame, and by a strange injustice the name of William Tell has overshadowed those of the real founders of the Helvetic republic. I need not recall all the details of adventures so strange that they appear to me of doubtful authenticity. It is generally known that, through the cruelty of the Austrian governor, Tell was exposed to the most dreadful ordeal conceivable to paternal love, from which his skill with the bow happily rescued him, whereupon a reply more daring than wise plunged him into fresh danger. We know that as the bailiff was conducting him to the castle of Küssnacht, a storm on the lake obliged him to confide the helm to his captive. The good fortune of Tell, his flight, and his vengeance are sufficiently famous. But our generation, which has substituted enlightened doubt for the credulity of our ancestors, appears to suspect a fable which has not even the merit of originality, and sees in the legend of William Tell only a crude imitation of the exploits of a Danish hero, as fabulous perhaps as himself. However this may be, the adventures of this citizen had no influence upon the general revolution.

All the confederates awaited in silence the beginning of the year which was to serve as a signal for their enterprise and as the opening of an era of liberty for Switzerland.

At last the day arrived; all the associates, faithful to their oath, took up arms at once in the three cantons. Everywhere they found their enemies lulled in a false security by indolence and pride, and utterly unprepared for this sudden, bold attack, by a handful of peasants whom they despised. The two fortresses of Rötzbürg and Sarnen, which overawed the canton of Unterwalden, were surprised without difficulty.

The first was betrayed by love. A girl in the castle had given a rendezvous to her lover for the night of January first, but this lover was actually one of the conspirators. Having ascended noiselessly to her window by the cord she lowered

to him, he was followed immediately by twenty of his companions, who profited by the same means of ascent. This small band dispersed itself through the castle without the loss of a moment, disarmed the garrison, and captured the bailiff. Having warned their comrades at Sarnen of their success, the latter immediately followed their example. This castle was stronger, owing to the presence of a large garrison and the residence of the head governor. Thirty confederates stationed themselves in a little wood near Sarnen, while twenty others seized the moment when the bailiff, attended by a numerous guard, had gone to church. They presented themselves at the castle gate, laden with those rural tributes which the Austrians exacted from the population on New Year's day. The sentinels permitted them to enter without the least suspicion, and it was but the work of a second for these brave peasants to throw down their loads, to seize the heavy sticks or iron spikes which they carried in their breasts, and to fall with fury upon the guard, while at the same time sounding the horn to summon their comrades. The latter rushed in at the signal and the fortress was taken. The governor fled by mountain paths through the snow to Lucerne. His flight was discovered by the Swiss without causing alarm.

Meanwhile the uprising of the citizens of Uri and Schwyz was not less successful. They seized without difficulty the fortresses in their territory, and joyfully razed to the ground these odious monuments of their servitude. Moderation rarely prevails amidst the fury of a popular revolution, but the Swiss had agreed to respect the persons of their tyrants while punishing their tyranny. They confined themselves to expelling them from the country with their servants and the soldiers who had accompanied them, and in order to prove that disinterested justice was the motive of their uprising, they forbore to touch the treasure wrested from the country as the spoils of oppression. Some writers add that they exacted from their oppressors an oath never to reënter the territory of Switzerland, but such an oath implies a trust

which these tyrants little deserved. Within a few days after the revolt, the three cantons sent deputies to exchange mutual congratulations and to swear a ten years' alliance. The conspiracy thus became a solemn treaty, but its conditions remained unchanged.

— A prince of Albert's character must have been deeply irritated by a revolt which wounded both his pride and his ambition. He consoled himself, however, by planning a terrible vengeance, and this vengeance was too dear to him to be intrusted to foreign hands. He betook himself at once to Baden, the chief town of his Helvetian states; there he addressed a numerous assembly of the nobility, speaking in exaggerated terms of the crimes of this peasantry who had dared to expel the officers of their prince, of the necessity of chastising their audacity, and of the aid he looked for from his faithful vassals. He then commanded them all to assemble their troops and to follow him on a campaign which concerned the rights of the entire nobility.

The Swiss beheld with anxiety but without terror the storm about to descend upon them from the Austrian dominions. They at once set about training their youth to arms and fortifying the most exposed places along their frontier and prepared to live or die freemen.

An unexpected event saved the new-born republic from the destruction which threatened it. This was the assassination of the emperor by his nephew, John, Duke of Swabia, at the very moment when he was about to carry fire and sword into the land of the Swiss. As unjust toward his own kindred as toward strangers, Albert had long withheld the inheritance of his nephew from him under the plea of tutelage, and refused, with a contempt more galling than the refusal itself, to restore to him an estate which he was too weak to govern. The conduct of the young prince justified this contempt in a manner fatal to both. Yielding to the pernicious and interested counsels of favourites, he seized the moment when the emperor, having crossed the Reuss, was separated

from his army and caused him to be stabbed upon the field of Königsberg.

Such was the miserable end of Albert I., whose ambition had distracted the empire for the space of ten years. His designs perished with him. The imperial family, assembled around their chief, saw him massacred without being able to come to his aid. In the first moments of consternation and mutual suspicion following upon such a crime they thought only of securing friends and conciliating enemies. The Empress Elizabeth despatched an envoy to assure the three cantons of her good will and to implore them to join the house of Austria in punishing the assassins of the greatest of sovereigns.

The reply of the Swiss was that of a people who understood their own interests and those of justice. "They were far from approving," they said, "the Duke of Swabia's crime; they lamented the sad fate of the emperor, but it was not for them to avenge the death of a prince whom they had known only through his injustice." They dispelled, however, the suspicions to which this reply might have given rise by rejecting with contempt the advantageous proposals made to them by John of Swabia. They confined themselves to sending him word that a free republic could never be an asylum for murderers. This prince, as miserable as he was guilty, and bold only in crime, found himself alone, abandoned to his remorse, without support or ally. He finally retired to Italy, where he ended his wretched days in a cloister.

Albert's death was avenged by his wife and children with a cruelty which excited horror even in that barbarous age. They imputed to the whole Helvetian nobility the crime of a few and condemned to death with torture, innocent and guilty alike. Forty-five nobles were executed at the castle of Alburen by the orders of Duke Leopold; sixty-three others, taken prisoners in the castle of Arwangen, were beheaded in defiance of the terms of capitulation, and Queen Agnes,

- ✓ the emperor's daughter, displayed an atrocious joy on beholding the purest blood of Switzerland shed before her eyes.
- ✓ This princess eventually acquired a reputation for sanctity by founding the abbey of Königsberg. Ambition countenanced these horrors, whose excess even natural sentiment could not justify. The castles of so many nobles razed to the ground all over Switzerland confirmed the power of the house of Austria, while the lands of their former owners swelled its domains. The Swiss, to whom their enemies have always reproached the destruction of the Helvetian nobility, can justly reply that their wars have been less fatal to that body than the vengeance of Albert's children.

Henry, Count of Luxemburg, was elected emperor on the death of Albert. Contemporary writers attribute this choice to the intrigues of Pope Clement V., who feared to see the imperial crown pass into the hands of France. This pontiff showed little knowledge of men, for the emperor whom he had made worked solely for the restoration of the imperial rights over Rome and Italy.

The Swiss hastened to congratulate their new sovereign. They sent a solemn deputation to assert their rights, to justify their conduct, and to implore his justice and protection. Henry VII. heard them favourably and granted them a Charter similar to that of Frederic II., confirming all their privileges. Prudence, however, dictated to him extreme consideration toward the Austrian dukes, whose arrogant pride defied their master and threatened the empire with civil war. In a dispute which arose on the occasion of their investiture, they dared to remind the emperor that Austria had already cost the life of six kings. Henry surrendered upon this threat and concluded a treaty with Duke Leopold, who followed him to Italy at the head of a troop of two hundred horse. Three hundred Swiss also joined the Roman expedition, which secured to their new republic a precious period of tranquillity of five years. This tranquillity strengthened the bonds of union between the states, accustomed them to the

enjoyment of liberty, made them appreciate its value, and disposed them to risk all to preserve it.

The death of Henry VII., by poison, it was said, in Italy, was followed by civil war. Louis, Duke of Bavaria, and Frederic the Handsome, Duke of Austria, entered into an armed contest for the imperial crown, which each claimed to have received by the suffrage of the electors. Germany was divided and rent asunder by these two princes; success was equally balanced between them, and their respective weakness, which forbade either to make a decisive effort, threatened to prolong indefinitely the miseries of the empire. Leopold,<sup>1</sup> the brother of Frederic of Austria, was the strongest support of his party. Beneath a dwarfish and deformed stature, unrelieved by richness of dress or ornament, this prince hid a dauntless and cruel spirit. He had acquired the reputation of a distinguished soldier and had justified it by marching across Germany at the head of an army of twenty thousand men to enforce the recognition of Frederic's authority. Louis of Bavaria did not venture to hold the field against him, and had seen Landsberg and several other cities of his hereditary domains destroyed before his eyes. Leopold was, in all probability, about to triumph over the rival of his house, when in a rash outbreak of wrath he suddenly turned his arms against the Swiss, who had naturally embraced the side of the enemies of Austria. The monks of the abbey of Einsiedeln<sup>2</sup> were the ancient foes of the canton of Schwyz,

<sup>1</sup> M. de Voltaire, with his light brush, has given us a general picture of Europe at this period. His colouring is always brilliant, but the drawing is often very incorrect. He asserts this Leopold to be the same who so basely violated the rights of hospitality in the person of Richard the Lion Heart. Need I pause to prove that a Duke of Austria who reigned in 1193 was not conquered at Morgarten one hundred and twenty-two years later? M. de Voltaire has been carried away by his imagination. We should regret, however, his having less.

<sup>2</sup> This abbey, more wealthy than powerful, had existed in great splendour for eight centuries. The contrast between its magnificent buildings and the desolate regions surrounding them, awakes the idea of one of those enchanted palaces which sprang up suddenly in the midst of the desert. The magic

and their recent alliance with the Austrian princes, who had taken them under their protection, had made them more implacable than ever.

These churchmen, who were so only in name, insulted all the Swiss who crossed their territory, and beat and despoiled them. These good people suffered a long while without complaint, but having finally protested against this injustice without obtaining any redress, they resolved to secure it for themselves. They accordingly made a forcible entrance into the monastery, committed great depredations, and carried off a herd of cattle, taking captive also six monks whom they did not release for some time. It is easy to conceive what frightful anathemas the church of Einsiedeln hurled against this sacrilege; but too frequent a use of these ecclesiastical thunderbolts had weakened their effect, even on the minds of the common people. The monks were obliged, therefore, to have recourse to their protector. Leopold listened gladly to complaints which authorised him to confound the wrongs of his house with those of the Church. He marched against the Swiss, full of wrath and confidence, resolved to consummate the vengeance which death had snatched from his father. He was going, he said, to hunt these rebel peasants, and he carried with him a quantity of carts laden with ropes with which to bind his captives and their herds, the

that reared Einsiedeln was that of superstition which, to this day, draws thither a throng of pilgrims, with their offerings, from all the adjacent country. The description of Valentine Compar, secretary of state for the canton of Uri, in a letter to the reformer Zwingle, gives some idea of its immense riches — riches which it had wrung from the poorest country in Europe. "I know," he writes, "an abbey (Einsiedeln) on which has been bestowed more than a million in gold and which possesses so many jewels and precious things that there is not a prince in Europe who could pay the tenth part of their price. It is somewhat singular that these monks should have adopted that doctrine of the Reformers which preaches the worthlessness of pilgrimage. But it is less surprising that they should have speedily renounced so detestable an error. The abbey of Einsiedeln is at present one of the nine houses of the Helvetic congregation of Benedictines. It acknowledges as its temporal head the canton of Schwyz."

sole wealth of this poor, rustic community which he was about to subjugate.<sup>1</sup> Such presumption did not seem extraordinary.

He saw himself at the head of over thirteen hundred horsemen clad in armour and accustomed to victory, picked men from the nobility of Switzerland, Alsace, and Swabia. A force of twenty thousand well-disciplined infantry made up the rest of an army to which Germany had found it hard to oppose an equal array. The destruction of the Swiss seemed inevitable. The Duke of Austria had disposed his forces in such a manner as to attack them on all sides at once; the Count of Strasburg was ordered to assemble the troops of Hasli, of Früligen, and of Siebenthal to the number of four thousand men in order to enter the canton of Unterwalden at dawn, while a body of one thousand Lucerne troops, crossing the lake in boats, were to join him in the heart of the country. Leopold himself advanced from the direction of Zug to attack the canton of Schwyz and endeavour by skilful manœuvres to force the Swiss to abandon the village of Morgarten. Here was the defile through which he planned to debouch, as the least difficult approach to the territory of the republic.

The Count of Toggenburg, a follower of the duke, was moved by the unhappy fate impending over this free and virtuous people, whose innocence and misfortunes had won them friends even in the Austrian army. He threw himself at Leopold's feet and begged leave to represent to them the danger they were incurring and to offer them peace and pardon. The prince, so long inflexible, aided by promising to grant their lives and possessions on condition of their recog-

<sup>1</sup> In accordance with the etiquette of barbarous courts, Leopold was accompanied by his astrologer and his jester. The folly of the former disguised itself under the garb of wisdom, while the comic mask of the latter often hid sound sense and wisdom. The one predicted for his master only the most dazzling triumphs; the other betrayed his anxiety on seeing that no preparations were made for retiring through the mountain passes of Schwyz as well as for entering them.



nising his brother as legitimate emperor and themselves as subjects of the House of Austria.

Charged with full powers, Count Toggenburg hastened to the camp of the Swiss. This generous people thanked him with heartfelt gratitude for the efforts he had made in their behalf, but declared to him that they were of no avail, that the Swiss would perish to a man rather than accept such humiliating conditions. "Let Leopold advance," they cried; "he will perhaps learn what discipline and freedom can accomplish against his formidable armies!" The count expressed his pity for them and withdrew. It is even believed that his pity caused him to forget his duty to his sovereign, and that he communicated to them the place of attack.

Certain it is that the citizens of Schwyz, apprised of their imminent danger, ordered six hundred men to join at once the seven hundred who already occupied the important post Morgarten. Uri sent them four hundred men, who arrived as night was closing in. The inhabitants of Unterwalden, attacked at their own firesides, could spare but three hundred men, who reached the camp of Morgarten about midnight. This little force,<sup>1</sup> thus united, having passed the night in fasting and prayer, proceeded to occupy all the heights, and put its hope only in its valour and in the protection of that Being who punishes arrogance and loves justice.

Leopold left Zug about midnight; he flattered himself that he could easily occupy the pass of Morgarten, which formed a narrow defile between the lake of Egrie and a precipitous mountain. He marched at the head of his mounted

✓ <sup>1</sup> We see that it consisted of two thousand men in spite of the efforts of some writers to diminish this number in order to heighten the glory of the action. We must add to this number fifty citizens banished for their offences, to whom was refused the honour of dying for their country, but who merited their pardon by their valour. In reflecting on the circumstances of this war, we can easily assure ourselves that these two thousand combatants must have represented nearly one-half of the population capable of bearing arms, and that consequently the three cantons did not contain a population of more than twenty thousand souls at the time of the Revolution.

troops; a dense column of infantry followed him closely, and both forces promised themselves an easy victory in case the peasants should venture to withstand them. Scarcely had they entered a deep and narrow road, which barely admitted of three or four men marching abreast, when they found themselves overwhelmed by a shower of arrows and great rocks hurled down on them from above. Rudolph of Reding, Landman of Schwyz, and commander of the confederates, had neglected none of the advantages which the situation afforded him. He had caused huge masses of rock to be loosened from their foundations so that a slight shock could send them hurtling down upon the serried ranks of the Austrians.<sup>1</sup>

Already the horses were wild with terror, the ranks thrown into confusion, and courage, bewildered by the disorder, was of no avail, when the Swiss with a terrible shout rushed down the mountain side upon their enemies. Accustomed as they were to chase the chamois upon the slippery edge of the abyss, they ran with a sure step down the snowy descent. They were armed with powerful Savoy pikes, against which the finest-tempered sword was powerless. Leopold's wavering and discouraged soldiers soon gave way before the desperate assault of a troop who were fighting for all that men hold dear. The abbot of Einsiedeln, the primal cause of this unhappy war, and Count Henry of Montfort were the first to lead in flight. The panic became general, the slaughter was frightful, and the Swiss gave themselves up to the pleasures of vengeance. By nine o'clock in the morning the battle was won. Great numbers of Austrians, falling back upon each other, plunged into the lake and were drowned. Fifteen hundred men were left upon the field, most of them being the mounted troops whom their hapless valour and heavy armour had held in a trap where both were

<sup>1</sup> The inhabitants of the Engadine had resorted to the same artifice in the war with Swabia. Pirckheimer describes it prettily.

useless. It was evident for years after, in all the neighbouring provinces, that the élite of the nobility had perished on this fatal day.<sup>1</sup>

The infantry, being less engaged in the defile, looked on in terror at the rout of the horsemen who had passed for invincible, and whose panic-stricken squadrons were reeling back upon them. They halted, then attempted to retreat, but in an instant this retreat became a shameful flight. Their losses were not great, but national historians record the memory of fifty brave men of Zurich found dead in their ranks upon the field.

Leopold himself was swept along by the rout in the direction of Zug. He was seen to enter his own city of Winterthur with terror, shame, and indignation painted on his brow.

As soon as victory had declared itself in favour of the Swiss, they assembled on the field of battle, embraced each other with tears of joy, and thanked God for his mercy in granting them a victory which had cost them but fourteen of their comrades. In the midst of the general rejoicing, the citizens of Unterwalden became aware of the danger threatening their country and lost not a moment in marching to its relief. They soon learned that the canton was a prey to the fury of the Austrian stragglers. Excited by these tidings, they hastened their march, crossed the lake, overtook the Lucerne forces, drove them back to their boats, and advanced into the upper part of the province to rejoin their compatriots who were holding their own against the Count of Strasburg. The two new banners which this general perceived among the enemy's ranks filled him with justifiable alarm. He recognised one of these banners as having been engaged at Morgarten and trembled for his master's safety and his own. He at once

<sup>1</sup> A contemporary historian assures us that, for a long period, the noble men-at-arms (*militia*) were rare in these provinces. There perished on this day Count Rudolph of Hapsburg, three barons of Bonsletten, two lords of Halwyl, two Gesslers, and many other noblemen of Aargau, Turgovia, and Alsace.

retired with the loss of three hundred men and all his spoils. The same day sufficed for these three victories.

Switzerland was delivered by the hand of Victory. It was now necessary to profit thereby, and secure for all time the freedom for which they had fought.

National sentiment and the situation in which they found themselves equally required that the three cantons should form a close and indissoluble union. When a treaty is dictated by friendship and good faith, it becomes easy to draw up its conditions. This solemn act of alliance was confirmed by a general assembly of the Swiss three weeks after the battle. It is necessary to give a correct idea of a document which has ever since formed the basis of the Helvetic Confederation.

All the men of Uri, Schwyz, and Unterwalden promise a mutual friendship, proof against time and misfortune. They unite forever for the common good their counsels and their forces. We here perceive the first sketch of a commonwealth ✓ and of that social contract which so many writers, better informed as to the rights of man than as to his history, have vainly sought for among great states.

They swear to sustain each other mutually toward and against all; they swear to sacrifice their lives for the common defence, never to permit a Swiss to be ill-treated or oppressed, but to succour or avenge him. They consent to submit to impartial arbiters all differences which may eventually disturb their harmony, and they appoint the third canton as a natural judge on all points in dispute between the other two. Convinced that amity cannot subsist in the midst of injustice and crime, they decree the death-penalty for voluntary homicide and perpetual exile for theft. They subject themselves to all the service which the state had the right to demand of them previous to the revolution, but they no longer recognise those obligations which tyranny has destroyed and which an equitable peace can alone restore to the House of Austria.<sup>1</sup>

<sup>1</sup> We find in the Dictionary of Leu examples of several sorts of forced service from which the cantons only freed themselves long after the Revolution.

Those onerous services, however, which galled the independence of a free state, had become odious to them ; they refuse to contract new ones and forbid all confederates to pledge their homage, their word, or their wealth without the consent of the others. They end by threatening with the disgrace of perjury, perpetual exile, and confiscation of goods all who contravene this oath.

The first step taken by the new republic was to inform the Emperor Louis of Bavaria of all that had taken place among them. This prince was friendly to the Swiss both by policy and inclination. He had written already to sympathise with and console them and to hold out the hope of a happier future. Too weak himself to aid them in a substantial manner, he was able at least to relieve them through the authority of the archbishop of Mayence from all the ecclesiastical censures which they might have incurred.

He learned with joy that his most dreaded enemy had left his glory and the élite of his troops upon the field of Morgarten. He hastened to confirm all the privileges of the three cantons, to approve their alliance and to confiscate in their favour the lands which the House of Austria still held in their territory. The Swiss made no difficulty in regard to receiving from his hand a new imperial prefect who swore to respect their rights and to defend them from all their enemies. This magistracy, the shadow of a once-revered authority, disappeared by degrees ; and succeeding emperors granted to the Swiss the privilege of choosing magistrates who should be at once ministers of the land of the empire.

I have thus traced with a feeble but impartial pen the history of an obscure revolution which merely changed the fate of a few Alpine peasants. It merits, however, the attention of ✓ the philosopher who studies mankind in the hut rather than in the palace. Such an one is aware that the sacred name of ✓ liberty has been commonly applied to the unjust prerogatives of a small body of citizens, and that nations seduced or led away by their leaders have fought with fury countless times

for causes that were foreign to them. He casts an attentive eye over the picture of Europe during the barbarous ages of feudal anarchy. How melancholy is this picture to a friend of man! Barons and bishops disputing with their king over the bleeding spoils of the communes; these unhappy communes arming themselves at times with their very fetters, but fighting with a blind and uncertain fury which dishonours by its excesses a liberty which they know not how to enjoy;<sup>1</sup> and in the depths of Italy a few republics torn by discords perpetually renewed and abandoning themselves with equal ardour to their tribunes and to their tyrants. Let him recognise here a rarer spectacle and one worthier of human nature: a virtuous people which has defended its holiest rights by the most legitimate means, which has shown firmness in peril and moderation in victory.

<sup>1</sup> The communes of England banded together under Richard II. committed great disorders. Humanity shudders at the horrors of the *Jacquerie*, who took up arms in despair after the battle of Poitiers. But the peasants who desolated Germany under the name of Anabaptists surpassed all the rest in atrocity. These latter were establishing the kingdom of the Lord.

## CHAPTER II

*Alliance of Lucerne — War of Laupen — Origin of Zurich — Revolution in the Government — Rudolph Brun, burgo-master — Conspiracy of Exiles — War with Austria — Combat of Tatwyl — Alliance of Glaris — Alliance of Zug — Siege of Zurich by the Emperor Charles IV. — Truce — Alliance of Berne*

THE battle of Morgarten had humiliated the Austrian pride; but the strength of that house was not exhausted, and the Swiss had everything to fear from a resentment stimulated by calamity and disgrace.

This strength, however, was divided, and this resentment was directed against the Archduke of Bavaria, who was disputing the empire with Frederic and his brothers.

After conquering this enemy, who appeared the most formidable, they proposed to punish the Swiss for their first revolt and for the victory they had presumed to win over their masters. Their success did not correspond with their expectations. Frederic the Handsome was finally taken prisoner at the battle of Mühldorf and only obtained his release on signing a treaty which secured to him considerable advantages in lieu of the empire which he renounced forever.

The inflexible Leopold maintained his cause some time longer with more obstinacy than glory, but his death and that of Frederic secured the tranquillity of Germany.

Otho and Albert inherited their brothers' estates without succeeding to their talents and ambitions. Louis of Bavaria was recognised by the entire electoral body, in spite of the anathemas of Pope John XXII., who was indignant that Germany had not awaited the consent of the Holy See before electing a sovereign.

This unhappy war and the state of weakness to which it reduced the House of Austria did not permit that power to avenge itself on the Swiss. Austria contented herself by disturbing their enjoyment of a freedom which she could not wrest from them. She forbade her subjects who dwelt in the rich provinces of Aargau and Turgovia to furnish this rebellious people with wheat, wine, stuffs, and whatever else the nature of their soil and their ignorance of the industrial arts denied them. The Swiss were experiencing the sad truth that man is a slave through his necessities, but they displayed at the same time almost infinite resources of patience and moderation. Hunger sometimes forced them to issue from their mountain fastnesses with arms in their hands; and in these incursions upon Austrian territory they swept away the crops, destroyed all they could not seize, and carried desolation and terror to the very gates of Zug and Lucerne. The mounted troops which had been stationed at these important posts joined the militia of the country in arresting these mountaineers, and frequent slight affrays, more bloody than decisive, served only to increase the mutual enmity.

A contemporary Swiss historian, devoted to the House of Austria, laments the cruelties marking this unhappy war, in which no prisoners were spared. The tyranny of the Austrians, the harshness of the Swiss, and the frightful law of reprisals convince us that his complaint was only too well founded. These misfortunes were common to both parties, but their sentiments were widely different. The Swiss paid without regret the price of their liberty, while the Austrian subjects were indignant at being made the victims of a tyranny as pernicious to them as to their neighbours.

We have already seen that the city of Lucerne, situated on the western shore of the lake of that name, had belonged to the abbey of Murbach in Alsace, and that in defiance of their oath, these feudal lords, far distant and indifferent to the interests of the people, had sold their city to the Emperor



Albert. The citizens long opposed this transaction, but yielded at last to their fear of the Austrian power and to the assurances given them that they should know this power only through its benevolence and protection. They knew it actually only through their misfortunes. To those which I have already mentioned must be added the total interruption of a commerce upon which Lucerne was founded and upon which the fame of that city still rested.

Situated between Italy and Germany, its favourable position had made it the emporium of these two countries. The Reuss, which flows beneath its walls, received all the merchandise which had been conveyed over the St. Gothard and carried it to the Rhine. But since the commencement of this destructive war the inhabitants of Uri had closed this outlet, of which they were the masters. The Austrians, however, were not at all moved by the wretched fate of a people whose fidelity to their cause, though reluctantly bestowed, had never been withdrawn; to the curse of war, they added that of tyranny. The town was possessed of rare privileges granted it by the abbots of Mürbach. The government was in the hands of a senate chosen from the nobility, and a delegate of the prince was present at their deliberations to listen, but not to control them. Under the Austrian dukes this senate had become merely a hollow sham, and the delegate was transformed into a governor armed with all the terrors of despotism and sustained by the powerful garrison of the fortress of Rothenburg. Not content with the burden of a war which had desolated their land for four and twenty years, the citizens of Lucerne had obligingly undertaken a foreign campaign. Dazzled by the promises held out to them by the House of Austria, they had rendered important services in the expedition against Calmar, but on their return they had solicited in vain the reward of their toils. Their troops were even denied the pay due to them, while the false coin which the Austrian dukes circulated in their states completed their ruin. These princes had not been ashamed to

resort to an artifice as vile as it is common and betray the confidence of a people whose deposits had been intrusted to their hands. The men of Lucerne suffered long without resorting to other weapons than patient and respectful remonstrance. Weary at last of a yoke which daily weighed more heavily upon them, they ventured to avail themselves of their rights by interdicting the Austrian currency and concluding with the three cantons a truce of twenty years which reanimated their commerce and procured for them a temporary respite. But they soon learned that so moderate a measure went either too far or not far enough. They saw themselves exposed to the full wrath of their ruler without having secured the support of the Swiss. In so critical a situation they turned their gaze toward that republic against which they had fought so long for throwing off those fetters which they were still reluctantly wearing. Full of admiration for the courage of their neighbours, the citizens of Lucerne desired to share the good fortune which this courage had secured to them. They accordingly proposed to the three cantons to receive them as a fourth member of their perpetual alliance for mutual defence against a common enemy. A sense of the mutual advantage of such an alliance soon united the two parties, who had always esteemed each other, and they proceeded to swear an eternal alliance with a joy which appeared sincere and unanimous.

The same spirit that had inspired the first confederation dictated the conditions of the present one,—perpetual union, mutual aid, obedience to magistrates, hatred of tyrants. The same precautions were employed to ward off or settle amicably all differences between them. The Helvetic League appeared already to have assumed consistence; we recognise it in the style of this treaty. These are no longer freemen, united by a voluntary agreement; they are independent states, allying themselves by a political act, and whose distinctive laws and privileges are not confounded even in so close a combination. The just and respectful

policy of Lucerne still accorded to the House of Austria all its legitimate rights, leaving it to time and fortune to interpret their nature. This redoubtable house still had numerous partisans in Lucerne. Those who owned fiefs in the Austrian states preferred their personal interest to the general good, while a rash and short-sighted youth still regretted the court and sighed for its honours and favours, preferring them to the equality of a republic and to the severity of inflexible laws which appeared in their eyes the sternest bondage. That contemptible fraction of a people always unworthy of freedom and incapable of obedience joined its clamour to these murmurs. But their vain efforts did not discourage the majority of good citizens. These latter opposed to the resistance they foresaw a new law imposing perpetual exile and a fine of twenty marks upon whosoever should inflict injury on the republic — a strange and dangerous law which left to the magistrate the choice of crime and victim. A free government might find its salvation in such an edict, but in the hands of a tyrant it would become the most terrible instrument of despotism.

This edict did not intimidate the partisans of Austria, who proceeded to establish communications with the governors of the circle of garrisons which enclosed the city. They agreed upon a night when they should open the gates to the troops, who would approach noiselessly, while they took up arms within the town and put to death in a general massacre all the friends of Switzerland and of freedom.

An indiscretion betrayed this atrocious project. A few moments previous to the time set for its execution, a citizen chanced to overhear the talk of certain of the conspirators who fancied themselves alone. He communicated the news at once to the chief magistrate, who assembled the citizens, secured the gates, and ordered the arrest of the conspirators, who were unprepared for resistance.

The red sleeves signal which they had agreed upon to distinguish one another in the confusion of a nocturnal

tumult, served to betray them to their enemies. After fortifying the republic with the help of three hundred Swiss troops whom their new allies had sent to them on the first requisition, the men of Lucerne proceeded to judge the criminals with whom their prisons were filled. Divided between horror of the crime and the compassion aroused by the numbers and rank of the culprits, they feared equally to punish or to pardon them. They finally granted their pardon at the instance of the deputies from the three cantons, who implored them not to stain the dawn of liberty even with the blood of the guiltiest. Therefore not one of these criminals who had plotted the ruin of their country lost his life. Their judges were content to exact a considerable fine and a solemn oath to prove worthy of the clemency they had experienced. At the same time an edict was passed forbidding all secret associations, and it was decreed that a citizen should pledge his word only to the community and that any private oath should be punishable as a crime. This salutary regard for the laws would have spared civil wars in many a country.

The Austrian dukes, though indignant at the revolt of Lucerne, were powerless to reduce it. Their pride, indeed, induced them to carry on for a time a languid struggle; success was doubtful, until finally these princes, reduced to the point of seeking support from the laws, carried their bitter complaints against the confederates before the tribunal of the empire.

Louis of Bavaria still remembered that the Swiss had been his first friends and that the Austrians were his barely reconciled enemies. He associated the citizens of Berne, Zurich, and Basle in the judgment he pronounced, which appeared at first glance somewhat favourable to Austria. He legalises its coinage, restores the lands owned by it in Switzerland, and grants all its original claims; but by confirming the perpetual alliance of the four cantons, he deprives Austria of all he appears to be conceding her, and bestows on the Swiss

republic all the actual advantages she has solicited. This sentence of arbitration merely established between the two parties a truce of thirty months. Often renewed, it was never anything but an insecure and treacherous peace.

The Swiss, tranquil and victorious, began to emerge from their obscurity and to enjoy the glory they had won. All Helvetia, divided and torn asunder for so many years, sought union with them beneath the banner of freedom. All the unfortunate who groaned under oppression or who feared it implored the protection of the republic, and having once experienced the value of its alliance, thought themselves fortunate in being bound to it by the close ties of a perpetual confederation. It is thus that the cities of Berne and Zurich became members of a body of which they are to-day the firmest support.

Always faithful to the will of its founder, Berne had pursued for one hundred and twenty years the vengeance which he had enjoined upon them and which was so easily reconciled with their interests and ambition. The nobility of transjurane Burgundy saw with amazement this hostile city rising in their midst, and already defying their power and threatening one day to give them laws. The fear which succeeds contempt is apt to be accompanied by hatred. This hatred on the part of the Burgundian lords was the cement of a powerful league which proposed as its object the destruction of the power of Berne. Among the large number of counts, barons, and other nobles who formed this alliance the most distinguished were the counts of Neuchâtel, Arberg, Nidau, Gruyère, and Kyburg. This last, a younger branch of the house of Hapsburg, lord of Berthoud and of Thun, held the city of Berne besieged in the midst of its own territory, claiming that the very foundations upon which the city was built were usurped from his domains.

Freiburg, which enjoyed a considerable share of independence under the protection of Austria, betrayed the weakness natural to an unfortunate rival, and listening to the voice

of jealousy rather than to that of reason, joined its forces with those of a nobility with which it had no interests in common. The House of Austria, always inimical to the free imperial cities, ordered its governor of Aargau to send reinforcements to the aid of the confederates, while, by a singular fatality, the Emperor Louis of Bavaria supported the same party. The latter was displeased with the Bernese, whose policy, or I might rather say, whose superstition, refused to him the deference due to the head of the empire, and deferred rather to the anathemas of the Pope than to the choice of Germany.

The Bernese sought to conjure the threatened storm, but it was impossible for them to subscribe to the hard and humiliating conditions imposed on them. Each one of the allies demanded the restoration of hypothetical rights, of lands purchased long since and of a great number of Bernese subjects rescued from feudal tyranny and admitted to citizenship. Having justified their conduct by this step, the princes assembled their troops and appeared beneath the walls of Laupen, which they besieged with an army of three thousand horse and more than fifteen thousand foot soldiers.

The Bernese found themselves surrounded only by avowed enemies or weak and wavering friends. The town of Soleure, however, had the courage to send them a succour of eighty horsemen; three hundred peasants from the mountains of Hasli hastened to join the banner of the masters they had chosen; and the lord of Weissenberg distinguished himself by a still more remarkable fidelity. Formerly an enemy of the Bernese, he had experienced a short time previous their valour and clemency, for, having conquered him, they received him among their citizens. He showed himself worthy of the title, bravely serving his new country at the head of one hundred and fifty of his vassals. These forces were, however, still inadequate, and the Bernese, amazed at the strength of their enemies, finally addressed themselves to the

- ✓ Swiss cantons, with whom they had no other relations than those of a common humanity.
- ✓ This, however, sufficed; and the three cantons of Uri, Schwyz, and Unterwalden granted them on the spot nine hundred men, a reinforcement less important in numbers than in the quality of the troops composing it. It is surprising that the Swiss, always so warmly attached to their protector, Louis of Bavaria, should have embraced the cause of his enemies. But popular states are governed as much by passion as by policy; and the ruling passion of the Swiss was
- ✓ hatred of Austria, of the nobles, and of injustice.

They set out on the march, crossing a wide strip of the confederates' territory, without the latter's daring to attack them, and reaching Berne, where they were received like tutelary divinities. They were ordered to make a sortie at once in order to profit by the first glow of their courage and to avoid the disorders that might ensue upon the arrival of such a body of men unused to town life. Having confided the safety of the capital to the care of the more aged citizens, the youth of Berne issued forth with their auxiliaries to the number of fifty-two hundred men, and advanced upon the enemy, still engaged in the siege of Laupen, whose garrison was defending itself with heroic constancy. The leaders of the republic had employed the united powers of reason and superstition in defence of the country. They had intrusted the whole authority of the state to Rudolph von Erlach as dictator. He merited this important post by his military talents, by the fame he had acquired in six battles, and by the sacrifice he had made of all the advantages accruing from his position in the service of the Count of Nidau.<sup>1</sup> After studying his own situation and that of the enemy, he

<sup>1</sup> This house, which still exists in Berne, enjoys a consideration which birth and riches alone could not assure. It had given proof of its valour in the tournaments of the twelfth century, but had added to this a rarer and more genuine glory, that of having twice saved the fatherland and of having rendered it the most distinguished service during successive generations.

resolved to attack them at once without giving time for Austrian reinforcements to arrive from Aargau. Beside the dictator marched the dean of the collegiate church, bearing in his hands the Host; he addressed the soldiers, inspiring them with that enthusiasm which raises men above themselves, then gave them his benediction as a signal for the combat.

To the Bernese were opposed the Freiburg men and the infantry of the allies; they had accepted this post reluctantly, not being able to refuse the urgent entreaties of the Swiss for the perilous honour of charging the dragoons, whose pride, they asserted, they were accustomed to vanquish. Their steadiness, however, could not withstand the first shock of the squadrons bristling with lances and mounted on their great war-horses; their ranks wavered at first, but rallied on the instant and renewed the combat with fury. The Bernese, on their side, drove back the enemy's infantry and put them to utter rout. The prudent valour of the dictator did not permit them to scatter in vain pursuit, but led them back to the aid of their allies. The latter were already victorious, the Burgundian nobility fleeing in all directions before the Swiss. Fourteen counts and eighty knights wearing coroneted helmets perished on this decisive day. The Bernese profited by their victory, while the Swiss returned home, satisfied with the glory they had acquired and with the gratitude of the friends they had delivered. Europe learned for the first time that a peasant infantry could conquer in the open field a mounted force, and that their courage was more formidable than the other's heavy armour.

It was in this battle of Laupen that the Bernese and the Swiss learned to know each other. Their mutual esteem and the services rendered and received prepared them insensibly for the perpetual alliance which they shortly contracted; but before considering this we must turn our gaze upon a revolution whose results changed the face of Helvetia. For this purpose I must go back to the origin of Zurich and glance




over the history of that city, which was to become the most important in the Helvetic confederation.

The city of Zurich is situated at the head of the lake of that name in the midst of a fertile and delightful country. It is claimed that the ancient Helvetians had remarked the advantages of a spot which nature seemed to have formed for the dwelling of man, and that they had there erected one of their rude villages, which was destroyed by fire when they abandoned their native country to seek new homes; that it was rebuilt by these tribes after their return, embellished by the Romans, and destroyed by the Alemans toward the beginning of the fourth century. This town remained for some time deserted and in ruins, until superstition caused another city, larger than the first, to arise from the ruins. A rumour had spread that certain soldiers belonging to the Theban legion had suffered martyrdom in Zurich. Shortly after their tombs were discovered there, these tombs became celebrated churches, and the reports of miracles which had taken place drew thither the inhabitants of the surrounding country who settled down under the immediate protection of St. Felix and St. Regula. Charlemagne paid tribute to the prejudices of his age and perhaps to his own by founding here a church and canonry, with exceptional privileges, dedicated to the memory of these martyrs. Louis, king of Germany, his grandson, honoured them still further by an abbey of nuns which he founded in honour of his daughter Hildegarde. He granted to the holy martyrs and to the nuns who represented them the profitable domain of Zurich, and bestowed these lands upon them in perpetuity with all the serfs attached to them, and all the rights and revenues accruing to their sovereign. From so liberal a donation he seems to have expected nothing but suzerainty itself. The Dukes of Swabia had no claim upon a city enclosed within their territory, but which was subject only to an imperial prefect appointed to guard at the same time the rights of the empire and those of the Church. The emperors themselves often held their

court there, and it was there that they set up their tribunal whenever they heard the suits of their Italian subjects beyond the Alps.

So many honours and privileges had made of Zurich one of the finest cities of upper Germany. The historians of the twelfth century have borne witness to its size, its beauty, and the plenty that reigned there. Nevertheless, in the charters of the Carlovingian princes it is only designated by the name of burgh or even village. It was not enclosed by walls until the reign of Frederic II., and its territory was always bounded by the circle of its walls. The source of its wealth was within itself and in the industry of its numerous and indefatigable inhabitants. I need not dwell on the fact that Zurich possessed one of the first silk factories in Europe, which was torn from it by its civil wars and transported to Como in the Milanese territory; certain it is that many useful industries flourished there in the earliest times and that it grew rich by distributing the products of its industry among the adjacent countries. These products were indeed very inferior to those of Italy, for the citizens of Zurich were a simple rustic people who contented themselves with the necessities of life in abundance and knew and cared nothing for luxuries and the fine arts. The most universal ideas exist for races only as related to their individual views. Thus each class introduces into society its own caste prejudices and customs. The noble scarcely deigns to consider any class besides that élite destined by right of birth to reign over the masses; for the soldier, civil society is merely a camp always in arms against its neighbours and recognising no law but the will of its leader. The priest sees divine institutions everywhere and the whole earth promised to God's elect. The mercantile class recognises that men while free by nature are united by their common needs. The spirit of commerce is that of liberty and can flourish only under the shadow of law. The commerce of Zurich had grown with its privileges, multiplied daily under the mild rule of its abbesses. The Emperor Frederic set



the seal to their liberty by confirming all these privileges and declaring it an imperial and inalienable city.

Amid the obscurity surrounding this epoch in history we discern confusedly the form assumed by the republic of Zurich. It was governed, according to the most credible authorities, by a council of thirty-six persons, who were chosen, it is true, by the whole body of citizens, but whose office was perpetual and their authority well-nigh sovereign. They were divided into three chambers which succeeded each other, each chamber finding itself at the head of the state for a period of four months of the year. In all difficult matters each body consulted the wisdom of its colleagues, and in those which concerned the interests of the entire community, it sought sanction by the suffrage of a considerable number of the citizens.

*Zurich* / This aristocracy governed for a long period with a justice and tranquillity which furnished few events to be recorded by history, but it was finally corrupted by the vice inherent in its organisation. These councillors, abusing their authority, regarded themselves as the masters of a people of whom they were only the ministers. Favours and even justice at their hands were to be had only by those who basely truckled to them and flattered their pride. Their avarice and extravagance alike exhausted the public treasury, and the people became aware of the betrayal of their trust only by the new taxes levied upon them. Conscious of the wretched state to which their magistrates had reduced them, they entertained no hope of a happier future. The spirit of the council was perpetuated in its successive members, so that Zurich changed tyrants three times a year only to renew the same tyranny.

One citizen alone aspired to the liberation of his country. His name was Rudolph Brun, a name consecrated by the gratitude of posterity. His birth and high merits had secured him a position in the council, but prudence as well as virtue dictated to him a scheme of action totally opposed to that of

his colleagues. He foresaw that this power, founded upon injustice, must fall, and that by declaring himself the avenger of its crimes he would rise upon its ruins instead of falling with them. His popular manners and stainless reputation had already conciliated the favour of his fellow-citizens, and he employed to gain their confidence all the arts of an ambition that stoops to conquer. He interested himself in all that concerned the people, heard their complaints with patient kindness, was touched by their misfortunes, recalled to them the rights and the prosperity of their forefathers, exaggerated the harshness of the council, and taught them to hope only in themselves.

“A friend of the people and of the laws,” he said, “I have often lifted my feeble voice against the oppression which disguises itself under the name of justice. My efforts have hitherto been useless to my fellow-citizens and hurtful to myself. I have everything to fear from the enmity of my colleagues. I have merited it by defending a people which knows not how to defend itself.”

His speeches revealed to the men of Zurich their own strength and the weakness of the council. Their contempt for these masters whom they had so long revered increased daily with their admiration for this great man who had re-animated their courage. Guided by his counsels, the citizens refused to swear allegiance to the chamber which assumed office at the beginning of May. Before recognising its authority, they demanded an account of its late administration and of the public revenues which had passed through its hands; they openly declared that they were preparing the same examination for the other two chambers, and that they would no longer endure the shameful despotism which had left them only the idle name of a republic.

The councillors, amazed at an audacity to which they were so unaccustomed, attempted to maintain their arrogance and to resume their functions without regard to the remonstrances of the citizens. But arrogance which no longer intimidates

serves only to irritate. Their threats of punishing Brun and his confederates convinced the latter of the necessity of taking decisive steps. They accordingly assembled the citizens, who took up arms, surrounded the town hall, and dispersed without bloodshed the council which was holding its session there, thus destroying at one blow the futile rule of the aristocracy. The magistrates who were most conscious of guilt fled from the city; a few ventured to submit their fate to the justice or the clemency of their fellow-citizens. Among these was Brun, but his vindication of his course was interrupted each moment by the applause of an entire people, who hailed him as their leader, their friend, and deliverer. While awaiting the tranquillity requisite for forming a new government, the people committed to his hands the supreme administrative power. Brun assumed his honourable charge with a reluctance which he did not attempt to disguise. He knew the envy of the multitude and hastened to set limits to his power which should render it less odious and more secure. Shortly after, the citizens assembled to give their assent to a body of laws establishing a new republic on the ruins of the former council of state. Thirty councillors still represented the aristocratic party in the constitution, but their transient tenure of office expired at the end of six months and could only be renewed after a similar interval. They were drawn from the ranks of the nobility, but with them were associated the richest and most highly esteemed members of the burgher class. A fortnight after the fall of the council, the burgomaster, who was the head of the republic under the new laws, was requested to nominate the two knights and the four citizens whom he esteemed most highly and to deliberate with them upon the choice of senators. The power of the latter was balanced by that of the tribunes who sat with them and who, in number, authority, and duration of office, differed in nothing from the senators. These tribunes were to serve at once as the organ and the protectors of the people who elected them.

The citizens of Zurich were divided into thirteen trade guilds, each guild constituting an integral part of the state, having its own privileges and revenues, its assemblies, and its representative in the supreme council. All branches of government were dissolved and renewed twice a year, with the exception of the office of burgomaster, which was fixed and perpetual. This magistrate was head of the senate, and his power extended over the departments of war, foreign relations, justice, and internal administration. The oath of allegiance which he was entitled to exact from all the citizens was held by law to be the most binding of oaths.

The citizens of Zurich held that a city unstable in its freedom and full of malcontents required a dictator, and they did not fear the ambition of a citizen who had won their entire confidence. They therefore elected Rudolph Brun burgomaster by acclamation, and for the space of twenty-four years he ruled the city more by his personal character than by the dignity of his office. His successors, however, who had only the office, were not able to retain prerogatives so excessive, no longer necessary to the safety of the state, and which threatened its liberties. The authority was consequently divided by the appointment of two burgomasters, who succeeded each other in the same fashion as the other officials of the republic; they were also deprived of the nomination of the senate, and the electors were dispensed from the oath of allegiance to them. Popular opinion, which grew daily more powerful, spared the privileges of the nobility as little as the rights of the burgomaster. The guilds complained that the existence of so large a senate was a reversion to their ancient aristocracy. ✓

The people wished to rule, but, conscious still of the weaknesses of a mob, which knows neither how to deliberate nor how to act, they contented themselves with the creation of a council of two hundred members drawn from all the guilds by popular vote. To this body they confided the election of the burgomasters and the senate and all the executive ✓

power. Of the legislative power they excepted only all matters relating to religion, to the empire, and to the Helvetic league for consideration by a general assembly of the people.

✓ All the principal features of this constitution still subsist in Zurich, but these restrictions of its power are either forgotten or abolished, and the council of two hundred may be regarded as the veritable ruler of the republic.<sup>1</sup> This forms the distinction between the popular states of Switzerland and those whose aristocratic senates renew themselves by a succession not depending on the choice of the community.

The legislators of Zurich, after promulgating these laws, felt obliged to submit them for confirmation to all those whose rights were still recognised by the citizens. The emperor (who was still Louis of Bavaria) approved the form of government which they had established. The abbess of the convent of Zurich released them with easy complaisance from all allegiance to her, reserving to herself only the princely title which she assumes in the document, still existing, of this transaction. The chapter of canons followed her example, restoring to the city most of the ancient rights which remained to it and which had ceased to be anything but a shameful testimony to the former subjection of its inhabitants. Occupied with this revolution, we have lost sight of the fate of those disloyal citizens who had occasioned it. They were rigorously judged, but their sentences bear the stamp of equity

<sup>1</sup> General propositions are rarely exact for the very reason that they are general. I have endeavoured to see my subject as a whole; but a subject so vast comprises in its details a thousand exceptions, into which the nature of my plan does not permit me to enter. I may seem to confound the senators and the tribunes of the existing constitution. These latter, who are the chief representatives of each guild, enter the senate through immediate election by the people; whereas the former, together with the burgomaster and the other magistrates, are drawn from the two hundred by the choice of that council itself. I have been obliged to give but a slight sketch of the noble class which has lost some of its prerogatives and retained others. I throw myself, however, upon the indulgence or rather the equity of the Swiss, for, a foreigner myself, I am writing principally for foreigners.

in the scrupulous care with which the punishment was proportioned to the crime. Some were punished by fines, others by an exile of greater or less duration, while the names of the guiltiest were dishonoured by a sentence excluding them and their children from holding any office in the state. Certain of the councillors, preferring safety to an uncertain vengeance, submitted to their sentence, acknowledged the republic, and strove thenceforth to obey better than they had ruled. The rest sought the protection of the Count of Rapperschwyl, whose estates were so situated as to render him a useful friend or a dangerous enemy to the citizens of Zurich. Policy had accordingly led them, shortly before, to enter into a close alliance with him. This prince, however, a scion of the House of Austria, was too keenly alive to the pleasure of weakening a free and powerful city, not to welcome these malcontents who had shaken its foundation with their own hands. He accordingly granted them the castle of Rapperschwyl as a place of refuge and permitted them to conspire for the ruin of their country. As soon as the tidings of their revolt had reached Zurich, the senate proceeded to confiscate their estates and sentence them to perpetual exile.

Irritated at last by the bad faith of the count and by the protection afforded by him to their rebellious subjects, the senate sought means to punish him. The citizens, assembling under the banners of the city, crossed the lake in boats and landed on the shores of Rapperschwyl. The exiles united their desperation with the courage of the inhabitants and repulsed the assailants. The Count of Toggenburg, whom a private quarrel had induced to take up arms with the men of Zurich, remained as prisoner in their hands.

The Count of Hapsburg was at this time engaged in besieging the small town of Grynau, situated at the extremity of the lake, and the Zurich forces advanced in that direction to avenge on his person the check which they had sustained before his capital. The expedition was successful, the count being slain after an obstinate combat in which most of his



men perished. The Zurich troops reëntered their city, rejoicing and in triumph, but their joy was dispelled on learning the sad fate of their ally, the Count of Toggenburg. He had fallen a victim to the fury of the Raperschwyl men, who thought to signalise their devotion to their prince by sacrificing to his ashes their hapless prisoner, whom they had hewn in pieces.

The republic of Zurich profited by the first terror which this success had inspired to destroy several castles which incommoded them, and proceeded to form alliances with the abbot and town of St. Gall, and with the cities of Basle, Schaffhausen, and Constance. Zurich succeeded also in drawing into its alliance a number of convents belonging to the knights of Rhodes (now Malta) whose faith and valour have been the same in all ages.

Zurich enjoyed an era of tranquillity during the minority of the young Count of Hapsburg, whose father was slain in the fight of Gryneau. But this prince's youthful mind was incited against them by the interested counsels of the exiles, who constantly reminded him that he had both his father and his glory to avenge. Too feeble, however, to take up arms, he chose a cruel and perfidious vengeance.

The exiles had always maintained secret relations with their late country. All republics contain numerous malcontents to whom authority is odious, culprits who fear the law and desperate men whose only hope is in general disorder, as well as ambitious men who seek to build up their own greatness upon this disorder. These all joined in the intrigues of the exiles and bound themselves to serve their interests even to the point of bringing them back to a Zurich in flames and bathed in the blood of its magistrates and their partisans. A body of the count's soldiers to the number of eight hundred slipped into the town in disguise and hid themselves in the houses of their accomplices, while a picked force of cavalry assailed the gates and a fleet of armed sloops prepared to enter the harbour under cover of the darkness.

The Count of Hapsburg had communicated his designs to a number of gentlemen who were not ashamed to be the accomplices of assassins. He still kept up a semblance of friendly relations with the inhabitants of Zurich, who accordingly felt no surprise on seeing him enter the city followed by a numerous suite of nobles and soldiers. Certain of the exiles had the audacity to accompany him, but the senate refused to receive them, and the people imagined that they had come to make their submission and receive the pardon which their protector had so many times solicited for them.

The plot had been hatched with a secrecy which had concealed from the vigilant eyes of the burgomaster the manœuvres of the conspirators, not one of whom was moved by fear or remorse. In this crisis a young lad was the saviour of the state. Chance enabled him to overhear the talk between some of the Count of Hapsburg's soldiers, who were communicating to each other the orders they had received to take up arms an hour before midnight, to seize the town hall and massacre Rudolph Brun and his whole faction. He even found out the watchword which served to distinguish the rebels. Already the hour was near at hand — time was flying and the danger increasing each moment. The young man ran to the burgomaster's house, wakened him, and told him in a few words that liberty and the friends of liberty were on the verge of destruction. Brun came to a decision with the quiet courage which sees the full extent of the danger but is not daunted by it. He changes clothes with his valet, makes his way through the seditious throng which already fills the street awaiting only the signal of carnage, reaches the town hall, shuts himself up in the clock-tower, and sounds the tocsin. Awakened by this terrible sound, the frightened citizens arm themselves, rush from their houses, and fly to the succour of their chief, who is now defending himself in the town hall, whose doors the conspirators are attempting to beat down. The alarm spread quickly through all quarters of the town and men fought in the darkness of night

without recognising their enemies or their own danger. The butchers cut down with their great cleavers whoever confronted them. The priests broke off the service in the cathedral to rush to the defence of their city with arms which they found in the sacristy. Soon the voice of the burgomaster was heard denouncing to the citizens the objects of their well-founded terror; countless torches illumined the streets and the rebels were overwhelmed by showers of stones and arrows from the windows of the houses.

Day at last dawned and revealed the frightful spectacle of carnage presented by a night conflict. But the victorious citizens of Zurich beheld with transport their enemies slain or routed, the few survivors loaded with chains, the fields covered with scattered remnants of the cavalry, and the lake filled with the wrecks of the fleet destroyed in the confusion of the flight. The corpses of the conspirators were left unburied, exposed to the fury and insults of the populace. The prisoners were saved only to be subjected to the tortures which they had but too well merited. Seventeen of them were bound to the wheel before their own doors, eighteen were beheaded in front of the town hall. Count Toggenburg was drowned in the lake; Baron von Massingen and a lord of Langenberg had been struck down with arms in their hands. The Count of Hapsburg himself with Baron Bonstetten was among the prisoners, but their captors respected in them the birth they had dishonoured and were satisfied with holding them under a strict guard.

Burgomaster Brun allowed no time for the public indignation to cool. He profited by its first fury to lead the standard of Zurich against the town of Raperschwyl, whose neighbourhood had always been a source of annoyance to him. The Zurich forces reduced it shortly to capitulation, destroyed its walls and citadels, wasted the lands of the Count of Hapsburg, and forced his subjects to swear allegiance to them. Such rapid successes increased the glory of Zurich; the people

who passed so rapidly from consternation to the extreme of elation were dazzled by this glory, while the wise chief magistrate saw only its attendant perils. He knew that ties of blood and common interests united the Count of Hapsburg to the House of Austria and to the entire Helvetian nobility. To sustain the attack of so many enemies whom indignation, shame, and jealousy were about to league against his country, he sought a new rampart of defence. The good faith, loyalty, and valour of the Swiss were well known to him, and in order to interest them in his favour, he proposed to the three cantons to receive Zurich into their perpetual federation. The Swiss, on their side, had the bold wisdom to defy present danger for future advantage and honour, such as this alliance presented. They accepted it forthwith, and in order to testify their respect for the foremost city of Helvetia, they accorded it that primacy which it still holds in the confederation.

The fundamental features of this alliance are the same as in the former treaties, but it is evident that the bonds of friendship between the contracting parties had loosened by being thus extended. In place of the simple obligation to march to the rescue with all their forces at the first requisition of an ally, a general diet was henceforth to determine the cause of conflict, the degree of danger involved, and the extent of the aid demanded; and the canton which was to profit by this aid must furnish funds to forward it. The allies did not resign their right of forming alliances with foreign powers, but bound themselves to enter into no engagements which should conflict with that which they had just contracted. The four cantons, deeply attached to their early alliance, declared that it should always have precedence over later and less binding ones.<sup>1</sup> It bears, however, the sacred marks of an

<sup>1</sup> It is in this treaty that one encounters the first outlines of what has subsequently been styled Helvetic law, to which each canton and each individual was bound to submit all differences. The contesting parties were to name four arbiters drawn from the Helvetic body. The judges, who were bound

intimate, equal, and perpetual union such as distinguishes the Helvetic confederation from all other treaties, those deplorable monuments of the ambition and perfidy of mankind.

The fears of the citizens of Zurich had not been unfounded; the Duke of Austria declared himself their enemy. This was Albert, called the lame, the sole surviving son of Emperor Albert. A stranger to Switzerland, which he had rarely visited, he misjudged, as did the other princes of his house, both the strength and the weakness of his remote estates. He testified his indignation at the crime of which Zurich had been guilty; he loudly demanded the restitution of the rights and personal liberty of the Count of Hapsburg, his kinsman and vassal, and exacted in addition a heavy fine in compensation for the outrages he had endured. The people of Zurich vainly represented that they had obeyed the first of laws, that they were guilty only of having warded off the blade of the assassin, that the Count of Hapsburg the assassin owed to their clemency the life which he had forfeited. Albert replied that they must choose between submission and war. They chose war and prepared at once to wage it. The Swiss, their new allies, sent them an auxiliary force of fifteen hundred men, who did not belie the fame of their nation.

On the other hand, the Helvetian nobility, who lent themselves with a kind of enthusiasm to the plans of vengeance of their duke, soon aided him in levying a large army which he led in person against the city of Zurich.

It was in the course of this war that Duke Albert twice laid siege to this capital. It is thus at least that national historians have designated military operations which bear little resemblance to our modern notions of a siege.

by oath, pronounced their sentence. In case of a division, they chose a supreme arbiter whose sole function was to decide between these conflicting opinions. Whenever the country of the arbiters was involved, the precaution was taken of dispensing them from the oath of allegiance which they had sworn to her.

The Austrian army approached the town to invest it, and those who wished to signalise their valour advanced as far as the gates, to challenge the inhabitants to combat. The defenders of Zurich looked on unmoved behind their feeble ramparts at the impotent efforts of an enemy destitute of all the means of attack which military science has invented. Exasperated at times by the insults of the Austrians, they boldly defied them by throwing open their gates for them to enter, or anticipated them by frequent sallies which resulted only in bloody and indecisive combats.

The courage of the independent nobility which made up the Austrian army, while stimulated by actual danger, was easily disheartened by difficulties. Soon wearied by a siege which promised only tedium and weariness, they decided to withdraw, involving in their retreat the Duke of Austria, whose principal reliance was on the involuntary support of his vassals. This duke, too weak to conquer, was strong enough to destroy. His march through this unhappy country could be traced by burning villages, trampled crops, ravaged vineyards, and by the shrieks of the wretched peasantry exposed to the fury of an undisciplined soldiery. Duke Albert had brought with him from Austria fifteen hundred Hungarians whose native ferocity ignored alike the laws of discipline and of humanity. I forbear to dwell upon these horrors, which startle and dismay without affording instruction. The subject of history is man, and we must study him even in those excesses which dishonour human nature; but these excesses, renewed in each successive age, have long since taught us that he is both weak and wicked.

The city of Zurich suffered greatly at the hands of an enemy who carried his ravages to its very walls, but it tasted at times the sorry pleasures of retaliation, which wreaked itself upon the innocent subjects of a guilty prince.

In one of these raids, led by the burgomaster at the head of twelve hundred men, he burned the baths of Baden and

devastated its environs. Laden with spoils, he had resumed his march toward Zurich and entered the defile of Tatwyl, without having reconnoitred the heights commanding it. These heights were occupied by the Austrians, who fell upon him from all sides, simultaneously, with a confidence and impetuosity which seemed to promise victory. Rudolph Brun gave proof, on this occasion, that in moments of surprise the firmest souls may be betrayed by the senses. He forgot the important trust which the country had reposed in him, and in the impulse to escape a doubtful peril, condemned himself to the infamy which must ever pursue cowardice. The men of Zurich, disheartened by the flight of their chief, gave themselves up for lost. They would indeed have been so, had not their lieutenant, Roger von Mannes, rallied them and restored confidence by a successful artifice.

"The great standard of the republic," he cried, "is advancing to our rescue, and our burgomaster has left us to hasten its advance. But if you will follow my advice, our safety and the glory of this day shall be the work of our own hands alone." Instantly he flies through the ranks, gives to the Zurich battalion the close and serried form of a wedge, hurls it upon the Austrians, drives them back staggering under this unexpected blow, routs them, and makes himself a bloody pathway out of the defile. The fight was resumed in the plain, as stubbornly but on more equal terms, until a lucky accident seconded the valour of the Swiss. A small troop of five hundred men suddenly made its appearance, and fell upon the Austrian flank. Their excited imagination caused each party to see in this troop the main army of Zurich, of which it was only the vanguard.

The Austrians retired from the field of battle which they had so hotly disputed, leaving seven hundred dead behind them, while the conquerors counted among the spoils sixty-five coroneted helmets, together with the banners of Bremgarten, Mellingen, etc. Roger von Mannes reëntered Zurich

amid the acclamations of its citizens, who learned in the same breath his peril and his victory.

In the midst of the general rejoicing the unhappy burgo-master was hiding in a country house from the light of day and from the eyes of men. But the gratitude of his countrymen caused them to forget an error which a warlike people rarely forgives. All the citizens, assembling under the city standard, sought him out with respectful compassion and brought him back to the city he had twice saved, thanking him for not having exposed the state in his person. Thus the policy of the men of Zurich, combined with their justice and humanity, condoned his weakness in favour of his past services and restored him to public esteem, without which he could not have continued to serve the state. ✓

The most famous battles are speedily forgotten. They are mere incidents confounded with countless similar ones which make up the general picture of human misery. But it must not be forgotten that out of the confusion of this war emerged two free states which were added to the Helvetic confederation by the victories and the moderation of the Swiss.

The country of Glaris is intimately connected with the cantons of Schwyz and Uri, from which it is only separated by a lofty mountain chain. Its climate and soil are the same, and we know how much men are the product of their climate. At the time when upper Germany was nothing but a vast desert, sprinkled with a few scattered villages, one of its dukes bestowed the territory of Glaris with all its serfs upon St. Fridolin, and this monk transferred this unimportant gift to the nuns of Säckingen on the Rhine, of whose convent he was the director. The abbesses never inflicted a weighty servitude on their new subjects; they reserved to themselves only the higher jurisdiction and a modest tribute. The freedom of Glaris grew beneath their rule until its inhabitants ended by founding a popular republic under the protection of the



abbey. We have already seen that these worthy peasants, content with their modest freedom, had secured a promise from their suzerain that they should never be alienated, but that, in spite of her promise, she had handed them over to the Dukes of Austria, appointing these princes hereditary advocates or protectors of the abbey in the province of Glaris. The citizens, preferring exile to chains, retired, some to Zurich, others to the free cantons. Those who remained were forced to take an oath of fidelity which they had never violated, and the House of Austria secured a useful ally in their invincible infantry.

This house rewarded their services with the usual gratitude of princes, — contempt, oppression, and injustice. Taxes and forced labours were multiplied; the inhabitants were deprived of the choice of their own magistrate, who was replaced by a foreign governor. A conflagration in the archives office had destroyed a great number of the charters upon which the liberty of Glaris was founded. Their new masters refused them permission to have these documents restored, and did not disguise their intention of extinguishing even the memory of their former liberties.

Their neighbours, the Swiss, informed of the slavery under which they were groaning, resolved to weaken their great enemy by depriving him of subjects whom he was unworthy to govern. They accordingly entered the territory of Glaris with a considerable force. The dukes' officials fled at their approach, while the population advanced to meet their liberators, renounced the bonds which tyranny had shattered, and offered with transports of joy the oath of allegiance required of them in the name of the four cantons. Assured of their obedience, the Swiss commanded the vanquished merely to resume their freedom and to be worthy of it.

They were shortly raised to the rank of allies by a treaty which made Glaris one of the cantons of the Helvetic confederation. We recognise, however, in this treaty, certain unequal conditions dictated merely by the fear of hidden

partisans of the House of Austria, and which disappeared ✓ as soon as this fear ceased to exist.

The four cantons reserved to themselves the settlement of all differences and even arrogated the power of altering by their unanimous consent the articles of this treaty. They deprived the canton of Glaris of the right to form alliances with foreign princes, while subjecting it to all the obligations which they saw fit to contract themselves. An exception was made, however, in favour of the rights of the House of Austria, and a more sincere exception in regard to the service due to the abbey of Säkingen, from which service the canton finally redeemed itself several years later.

Emboldened by this first success, the Swiss thought only of pursuing their advantages against an enemy who could neither maintain peace nor war. They accordingly advanced into the territory of Zug and laid siege to that town, whose situation and strength made it an important fortress which threatened the Swiss frontier and left the communications difficult with their new ally, Zurich.

The country of Zug is a fertile plain, favoured by nature, but having never tasted the sweets of liberty. This patrimony of the ancient Counts of Lenzburg had been brought into the House of Austria by inheritance from the counts of Kyburg, and the people, submissive to the yoke, respected their princes from duty and habit.

That patience and fidelity which constitute the heroism of servitude took the place of patriotism, which did not exist for them. Filled with this spirit, they resisted the Swiss bravely and endured without a murmur the miseries of a prolonged siege. When the inhabitants saw themselves about to succumb to the attacks of the besiegers, they implored a three days' truce, in order to inform their sovereign of their danger. Duke Albert was walking in the cloisters of Königsfeld when the deputies of Zug accosted him. Instead of the welcome he owed to such subjects, he was pleased to receive them with a contempt which dishonoured only himself.

He heard their appeal with a preoccupied air, interrupted them to give orders to his falconers, and informed them with haughty indifference that they might surrender if they chose, he could easily reconquer them. The citizens of Zug took reluctant advantage of the rights their prince had flung back to them, but they were forced to make a virtue of necessity, and treat with the Swiss. The latter proposed to them, in place of a humiliating capitulation, a perpetual alliance. The moderation of this young republic had not yet been perverted by the taste for conquests. Enlightened as to their own true interests, the Swiss preferred the friendship of a brave and free people to the sorry task of keeping guard over slaves. Zug thus became a new canton of the Helvetic body; its people established a popular government, tempered in their principal town by an aristocratic element which planted a germ of civil discord in its constitution.

I have thus brought together the principal incidents of a war which was often suspended by negotiations or interrupted by truces. Albert saw himself despoiled of his hereditary states by the Swiss, while Zurich continued to oppose an impenetrable barrier to his furious assaults. This feeble and vacillating prince alternately made treaties with an enemy whom he was unable to conquer, and violated the treaties he had just signed, thus purchasing both war and peace at the cost of his honour.

✓ In the course of one of these negotiations, we catch a glimpse of a somewhat curious scene upon which historians have failed to cast any light. The Duke of Austria and the Swiss, having failed to reconcile their respective claims, agreed to submit them to arbitration. Agnes, queen of Hungary, sister of the duke, and daughter of the Emperor Albert I., was selected to decide between her own family and a hostile nation. This honour was tendered her in deference to her forty years' seclusion from the world and her reputation for sanctity, but her conduct made it evident that this sanctity had nothing in common with justice. Her

brother's interests alone dictated the decision which granted ✓  
 him all he demanded, while exacting from Zurich sixteen of  
 its leading citizens as hostages for the execution of the treaty.  
 The excessive trustfulness of the Swiss appears to us to-day  
 as mere imprudent folly, but it is the folly of a people ✓  
 who believe in virtue in the midst of a corrupt age. They  
 were preparing to fulfil the harsh and unjust condi-  
 tions imposed on them, when the duke suddenly remem-  
 bered that, by a strange oversight, the most essential article  
 of the treaty had been omitted, and that nothing had been  
 stipulated in favour of the Count of Hapsburg, in whose be-  
 half the war had been undertaken. Enraged at the Swiss  
 for refusing to liberate his kinsman, he broke off negotiations  
 and took up arms again, thus renouncing by his treachery  
 all the advantages which the sentence of arbitration had  
 granted him.

He was speedily forced to negotiate again, when a less  
 interested arbiter pronounced a more impartial judgment.  
 This was Louis Margrave of Brandenburg, son of the late  
 emperor, Louis of Bavaria. He restored the Count of Haps-  
 burg to liberty without ransom, but also without compensa-  
 tion; he confirmed all the alliances of the Swiss, but at the  
 same time did not release the subjects of the house of Austria  
 from obedience to their sovereign. He must have foreseen,  
 and doubtless did foresee, that the contesting parties would  
 never come to an agreement in their interpretation of these  
 final articles, which appear to contradict each other. The  
 fate of Zug and Glaris became a source of dissension which  
 soon led to a fresh war.

All these futile attempts on Albert's part finally convinced  
 him that he was too weak to carry on alone an enterprise  
 which he was neither able to execute nor to abandon. He  
 accordingly appealed to the emperor, representing to him  
 the danger of these private alliances which were being formed  
 in the heart of his empire without the sanction of its head,  
 and endeavouring to arouse his fear of this fierce indepen-

dence which had taken its rise in the Alps, descended thence to the plains, and was now insinuating itself with impunity into every province of Germany.

✓ Louis of Bavaria was no longer emperor. Charles, king of Bohemia, grandson of Henry VII., had occupied for six years a throne which he owed to his lavish profuseness and to the favour of the priests. He had bought this favour by concessions debasing to his dignity, and the contrast between his artful, timid character and the intrepid frankness of his predecessor exposed him to the contempt of his people. Posterity recognises that to an enlightened mind he united a weak and petty soul. He listened only too willingly to the complaints of the Duke of Austria and immediately set forth from the remote depths of Bohemia and repaired to Zurich, with the design of breaking up a confederation which he looked upon with a jealous and uneasy eye. But before declaring himself the open enemy of the Swiss, he entered upon a line of conduct more consonant with his character. Assuming the impartiality of a mediator who sought only to end a war so fatal to the provinces of upper Germany, he proposed to the Swiss to submit all their differences with Austria to his decision. This people, in whom the craftiness of their enemy had at last roused distrust, easily detected the designs, which the emperor had not sufficiently disguised. They therefore replied with respectful firmness: "That they consented to appoint him a judge in their prolonged and unhappy quarrel, but that they excepted the question of their alliances. That these alliances, justified by the laws of the empire and by their privileges, were the foundation of their security and freedom, and that they would never expose to the judgment of man these dear and indissoluble ties which could only give umbrage to their enemies or to the enemies of justice." Neither the insinuations nor the threats of the emperor could force them to swerve from this position. So obstinate a resistance ended by irritating the emperor's pride. He decided to

speak as a conqueror to the people who had refused to listen  
 to him as judge and mediator. The Duke of Austria, charmed  
 by a decision so conformable with his interests, prepared  
 to enlist under Charles's standard with all the forces at his  
 disposal. Under this same standard were enlisted the Bo-  
 hemian troops which followed their king and the auxiliary  
 forces which the princes and free cities of the empire could  
 not refuse to the requisition of their feudal chief. Exag-  
 gerated accounts have raised the number of this formidable  
 army to one hundred thousand, but more exact historians  
 assure us that it comprised a body of four thousand cavalry  
 and forty thousand infantry. On approaching Zurich, it  
 invested the city with two distinct encampments, one made  
 up of the princes' troops, the other of those of the free towns.

The inhabitants of Zurich, amazed at seeing all the forces  
 of Germany descending upon them with the emperor at their  
 head, thought, however, only of defending themselves with  
 constancy. The burgomaster encouraged by his words and  
 example a warlike people fighting for their hearthstones  
 and their liberty. Fifteen hundred Swiss auxiliaries aug-  
 mented this little band, who thought themselves invincible.  
 Brun, profiting by this enthusiasm, flung open all the gates  
 and encamped proudly beneath the ramparts in full sight of  
 an enemy, amazed at his temerity. It was not, however,  
 foolhardy rashness; he was aware that this immense army  
 contained within itself germs of weakness and destruction,  
 that it was destitute of cohesion and discipline, and that the  
 ruler of Christendom was dragging in his suite all these power-  
 ful princes only to experience each moment their discord and  
 indocility. Events justified the hopes of this wise leader.  
 The point of honour, that useful but dangerous principle  
 which sacrifices the common interests to the glory of the in-  
 dividual, gave rise to dissensions between the various nation-  
 alities composing the imperial army, who disputed with  
 each other for the honour and danger of leading the attacks.  
 The Bohemians claimed the privilege of distinguishing

themselves in the eyes of their prince. The bishop of Constance declared in the name of the Swabians that they would never renounce the prerogative which Charlemagne had accorded to their ancestors. The Austrians insisted that it was for them to avenge their own wrongs and those of their sovereign. Accordingly, the attack was not made, and Zurich was saved.

The forces of the free cities on their side made but feeble efforts; the sight of the standard of the empire, which the burgomaster had hoisted on the ramparts, made them blush for the cowardly compliance with which they had followed the banners of a swarm of princes, enemies of liberty and of the imperial towns. They thereupon withdrew from the siege in spite of the remonstrances of the emperor and the Duke of Austria.

The emperor himself soon followed their example and returned to Bohemia, thus ingloriously deserting an undertaking upon which the eyes of all Germany were directed. Duke Albert still held out, but his futile efforts served only to heighten his disgrace.

Charles soon became aware that he had dishonoured the Imperial Majesty by a step contrary to his true interests. Dissatisfied with his own conduct, he sought a quarrel with the Duke of Austria, the author of his blunder and his repentance. The old jealousy between the two houses was embittered by mutual reproaches, and hatred succeeded only too easily to the hollow friendship of the great. The emperor, at enmity with Albert, looked with a less unfriendly eye upon the confederation opposed to the House of Austria. He offered himself anew as a mediator, this time with a sincerity which restored in a measure the confidence of the Swiss. But this prince, timid as a friend, and little to be feared as an enemy, still strove to conciliate the Archduke and did not dare to pronounce the clear and decisive judgment required of him. All his sentences bore the stamp of weakness and obscurity, and the variety of interpretations of which they were sus-

ceptible seemed designed to prolong the negotiations and the strife.

The Austrian ministers brought to these negotiations all that subtlety which is styled prudence in the language of diplomacy, but their insidious arts were shattered by contact with the firm and simple frankness of the Swiss. I will not involve my readers in the dark labyrinth of an idle diplomacy; suffice it to say that Albert, bowed beneath the weight of age and infirmities, finally resigned the reins of government, and that his two sons, Rudolph and Leopold, having fewer prejudices to overcome than their father, were able to conclude with the cantons a truce of eleven years, which was subsequently several times renewed. Zug and Glaris preserved their relations with the Helvetian body, without renouncing the service which they owed to the House of Austria, and that house was entitled to select from the body of citizens their chief magistrate. These two republics had broken their fetters indeed, but they were still held by bonds which were only loosened later by the hands of victory.

The inhabitants of Berne had long known the Swiss, and appreciated the value of their friendship, but it was only in the course of this war that they finally sought their alliance. It was brought about by an event which promised at the outset nothing but discord. A handful of peasants, subject to Berne, complained of unjust treatment, and sought the protection of their neighbours of Unterwalden, a protection which generosity rather than policy freely accorded them. The troops of Berne marched in force to reduce their rebellious subjects and found them encamped on the shores of the Lake of Brienz with a considerable force of auxiliaries from Unterwalden. After a stubborn combat, the advantage remained with the Berne contingent. The rebels surrendered; the Swiss retired to their mountains and carried their complaints to the General Diet of the three cantons. Berne was represented by its deputies before this assembly; they spoke as conquerors, but as conquerors who sought only peace and



justice. Their frank and reasonable tone disarmed the wrath of the Swiss. "They did not blush," they said, "to recall all the obligations they were under to the confederation, and did not hesitate to accept as mediator and judge a people with whose equity they were so well acquainted."

✓ Thus there grew up a mutual understanding from which sprang friendship and confidence. Having begun with complaints, they ended in a close, perpetual alliance which ✓ associated Berne in the Helvetic confederation.

I will not recapitulate the conditions of this treaty, which differed from the former agreements of the Swiss in one respect only, dictated by the distance between the two countries. This was the payment of one sou a day, which the confederates promised to the troops of their allies when summoned to their aid. Berne contracted this alliance with the first three cantons only, but these cantons became a point of reunion connecting the interests of Berne with those of Lucerne and Zurich. They each and all agreed to furnish mutual aid on the requisition of their common allies. The execution of the last article was, however, suspended, and the banner of Berne followed, however reluctantly, the standards of the emperor of Austria under the very walls of Zurich.

The alliance with Berne gave great added weight to the confederation, whose deep roots spread from the Lake of Constance to that of Neuchâtel, and which ultimately consisted of five free communities and of three of the most important cities of Helvetia. Berne was already the most powerful of the three, but this narrow and insecure power gave little promise at this time of its future greatness. It consisted merely of a body of citizens more warlike than numerous, in possession of the two smaller towns of Arberg and Laupen, and entitled to feudal service from the peasants of the Haslithal and the lower Siebenthal, with that of their lord, the Baron of Weissemberg.

✓ This city, however, was entitled to expect great things from the wisdom of her magistrates and the spirit of her

people. Love of the fatherland reigned in all hearts, and by an illusion which makes the strength of republics, the citizen confounded his private interests with the welfare and glory of the state. ✓

Berne introduced into the councils of Switzerland a firmer, warier, and more enlightened policy, but it introduced at the same time more interested designs, a thirst for conquest, and an ambition less subject to the laws of justice than to those of prudence.

## VINDICATORY MEMORIAL

IN REPLY TO A STATEMENT EXPLAINING THE MOTIVES OF THE  
KING OF FRANCE FOR HIS CONDUCT TOWARDS ENGLAND

✓ THE ambition of a power always a foe to public tranquillity has at last obliged the king of Great Britain to employ in a just and legitimate war those forces which God and his people have intrusted to him.

It is in vain that France attempts to justify, or rather to disguise, her policy in the eyes of Europe, by her last manifesto, which pride and artifice appear to have dictated, but which can be reconciled neither with the truth of facts nor with the rights of nations. That equity, moderation, and love of peace which have always guided the measures of the king, induce him now to submit his conduct and that of his enemies to the judgment of that free and respectable tribunal which pronounces, without fear or flattery, the sentence of Europe, of the present century, and of posterity. This tribunal, composed of the enlightened and disinterested men of all nations, pays no heed to professions; it is by the actions of princes that it judges the motives of their conduct and the sentiments of their hearts.

At the time when the king ascended the throne his arms were successful in the four quarters of the globe. He had restored public tranquillity by his moderation, while at the same time firmly maintaining the honour of his crown and securing substantial advantages to his subjects. Experience had taught him how bitter and deplorable are the fruits even of victory, and that wars, whether successful or unsuccessful, exhaust the people without exalting their rulers. His actions proved to the world that he appreciated the value of peace;

and it might at least be assumed that the wisdom which had enlightened him upon the inevitable miseries of war and the perilous pride of conquest, would inspire him with a sincere and firm resolution to maintain that public tranquillity of which he was at once the author and the security. These principles have served as a basis for the unvarying conduct of His Majesty during the fifteen years succeeding the peace concluded at Paris in 1763,—a happy period of repose and felicity which will long be enshrined in the memory and perhaps in the regrets of the nations of Europe.

The king's instructions to all his ministers bore the stamp of his character and his maxims. He recommended to them, as the most important of their duties, to listen with scrupulous attention to the complaints and remonstrances of the powers, his allies and neighbours, to forestall, at the outset, all subjects of disagreement which might tend to embitter or alienate their minds, to avert the scourge of war by all expedients compatible with the dignity of the ruler of a powerful nation, and to inspire among all peoples a just confidence in the political system of a court which loathed war without fearing it, which employed no methods save those of reason and good faith, and which had no object save general tranquillity. In the midst of this tranquillity, the first sparks of discord were kindled in America. The intrigues of a small group of audacious and criminal leaders, who imposed upon the credulous simplicity of their countrymen, gradually incited the greater part of the English colonies to raise the standard of revolt against the mother country, to which they owed their existence and their happiness. The court of Versailles readily forgot the faith of treaties, the duties of allies, and the rights of sovereigns, in the attempt to profit by circumstances which appeared favourable to its ambitious designs. This court did not blush to sully its dignity by entering into secret relations with rebellious subjects; and after having exhausted all the shameful resources of perfidy and dissimulation, it dared to avow, in the face of indignant Europe, the secret

treaty which the ministers of the Most Christian King had signed with the crafty agents of the English colonies who were founding their pretended independence merely upon the boldness of their revolt. The offensive declaration which the Marquis de Noailles was charged to make at the court of London on the 13th of March of last year, authorised His Majesty to repel with arms the unparalleled insult which had been offered to his crown; nor did the king forget, on this important occasion, what was due to his subjects and himself. The same spirit of duplicity and ambition continued to reign in the councils of France. Spain, which has more than once had occasion to repent having neglected its true interests in order to serve blindly the destructive projects of the elder branch of the house of Bourbon, was persuaded to exchange the rôle of mediator for that of enemy of Great Britain. The calamities of war were multiplied, but the court of Versailles has had no cause, up to the present time, to boast of the success of its military operations; while Europe knows how to estimate those naval victories which exist only in the *Gazettes* and in the manifestoes of the pretended conquerors.

Since peace and war impose upon nations duties entirely distinct and even opposed, it is indispensable to distinguish between these two conditions, in argument as in action: but in the last manifesto issued by France, these two states are perpetually confounded. She undertakes to justify her conduct by urging in turn and almost at the same moment those rights which it is only permitted to an enemy to assert, and those maxims which regulate the obligations and proceedings of national friendship. The skill shown by the court of Versailles in continually confounding two suppositions which have nothing in common is the natural consequence of a false and insidious policy, unable to face the light of day. The sentiments and conduct of the king, on the contrary, having nothing to fear from the closest scrutiny, induce him to distinguish clearly that which his enemies have so artfully

confused. It belongs only to justice to speak fearlessly the language of reason and truth.

The complete justification of His Majesty and the indelible condemnation of France depend therefore on proving two simple and almost self-evident propositions, to wit: That a profound and permanent peace, which on the part of England was a sincere and genuine one, existed between the two nations, when France contracted an alliance, at first secret, afterwards open and avowed, with the rebellious American colonies. Secondly, that according to the recognised doctrines of the law of nations, and the tenor of treaties actually existing between the two crowns, these alliances were to be looked upon as an infraction of the peace, and that the public avowal of such alliance was equivalent to a declaration of war on the part of the Most Christian King. This is perhaps the first time that a respectable nation has been called upon to prove two such incontestable truths, and the justice of the king's cause must be already admitted by all who judge disinterestedly and without prejudice.

“When Providence called the king to the throne, France was in enjoyment of profound peace.” Such are the expressions of the last manifesto of the court of Versailles, which freely acknowledges the solemn assurances of sincere friendship and of the most pacific intentions received on that occasion from His Britannic Majesty, and often renewed through the ambassadors of the two courts for four years, up to the fatal and decisive moment of the Marquis de Noailles's declaration.

It is a question therefore of proving that during this happy period of general tranquillity, England was concealing warlike intentions under the guise of peace, and had carried its unjust and arbitrary proceedings to such a point as to justify on the part of France the most decisive steps, such as would only be permissible in an avowed enemy. To accomplish this object, it would be necessary to present before the tribunal of Europe clearly formulated and well-founded

grievances. That great tribunal would exact formal and perhaps reiterated proofs of the injury and the remonstrance, the refusal of suitable satisfaction, and the protest of the injured party that it held itself highly offended by this refusal and released thereby from all the duties of friendship and the bond of treaties. Those nations which respect the sanctity of oaths and the advantages of peace are the least prompt to seize occasions which seem to relieve them from a sacred and solemn obligation; and it is with trepidation that they venture to renounce the friendships even of powers from whom they have long endured insults and injustice.

But the court of Versailles has ignored or despised these wise and salutary principles, and instead of laying the foundations of a just and legitimate war, is satisfied with sowing the pages of her manifesto with vague general complaints expressed in a style of metaphor and exaggeration.

This document reverts to a period sixty years back in order to accuse England of neglect in ratifying certain commercial regulations, certain articles of the treaty of Utrecht. It ventures to reproach the ministers of the king with using the language of arrogance and ambition, without condescending to bring proof of imputations as improbable as they are odious. These gratuitous assumptions of bad faith and ambition on the part of the court of London are confusedly jumbled together as though out of fear of emphasising them. The pretended insults offered to the flag, the commerce, and even the territory of France are very obscurely hinted at, and finally there escapes an avowal of "the agreement into which the Most Christian King has already entered with Spain to avenge their respective grievances and put a term to the tyrannical empire which England has usurped, and seeks to maintain, over the high seas." It is difficult to contend with phantoms or to reply in a clear and precise manner to the language of declamation. The king's confidence in the justice of his cause would doubtless lead him to submit to the closest examination these vague accusations, these pre-

tended grievances, upon which the court of Versailles has prudently avoided entering into a clear and detailed explanation such as could alone support its arguments or excuse its proceedings.

During a period of peace lasting for fifteen years, the interests of two powerful and perhaps jealous nations, whose territories are contiguous in so many parts both of the old and new world, inevitably furnish subjects of complaint and dissension which moderation on both sides should be able to allay, but which is too often embittered and intensified by the actual animosity and feigned suspicions of a secret and ambitious enemy; and the misfortunes of America were well fitted to multiply the hopes, the pretexts, and the unjust claims of France.

Nevertheless, such has been the uniformly pacific course of the king and his ministers that it has often reduced their enemies to silence; and if it is permitted us to interpret the real sense of these vague and equivocal accusations, whose studied obscurity betrays symptoms of shame and artifice, we can affirm with the boldness of truth that there are several of these pretended grievances which were announced for the first time in a declaration of war, without having been presented before the court of London while they might still have been listened to with the serious and favourable attention of friendship.

In regard to the complaints which the ambassador of His Most Christian Majesty communicated from time to time to the ministers of the king, it would be easy to give, or rather to renew, the satisfactory answers which proved to the eyes of France herself the king's moderation, his love of justice, and the sincerity of his intention of preserving the general tranquillity of Europe.

These remonstrances, which the court of Versailles would do better not to recall, rarely bore the stamp of reason and truth, and it often happened that those persons in Europe, in America, and upon the seas, from whom its suspicious and



ill-founded information had been received, had not hesitated to abuse its confidence in furtherance of their own ambitious designs. Whenever the facts which France brought forward as the subject of her remonstrances rested on more solid grounds, the king's ministers cleared them up at once by the plainest and most complete justification of the motives and rights of their sovereign, who was able without interfering with the public peace to punish the smuggling which was carried on upon his coasts, and to whom the law of nations granted the legitimate right of stopping all vessels carrying arms or munitions of war to his enemies or rebellious subjects. His tribunals were always open to individuals of all nations, and it would imply little knowledge of the British constitution to suppose that the royal power would exclude any one from this means of redress. On the vast and distant scene of operations of a naval war, the most active vigilance and the firmest authority are unable to discover and repress all disorders; but whenever the court of Versailles was able to prove real grievances which its subjects had endured without the king's knowledge or approbation, His Majesty issued the promptest and most efficacious orders for putting an end to the abuses which were as prejudicial to his dignity as to the interests of his neighbours, who had become involved in the misfortunes of war.

The object and importance of this war are sufficient in themselves to convince Europe of the principles which must have regulated the political conduct of England. At a time when that country was employing her entire forces to reduce the revolted American colonies to obedience, is it to be supposed that she would have chosen to irritate by the insolence and injustice of her proceedings the leading powers of Europe? Equity has always ruled the sentiments and conduct of the king, but on this important occasion mere prudence would have insured his sincerity and moderation.

But in order to show plainly the pacific relations prevailing between the two nations, we need only appeal to the testi-

mony of the court of Versailles itself. At the very period which it ventures to assign for these infractions of public tranquillity, "which would have induced a prince less sparing of the blood of his subjects to resort to immediate reprisals and repel insults by force of arms," the ministers of the Most Christian King were employing the language of confidence and friendship. Instead of announcing its designs of vengeance in that tone of hauteur which would at least have avoided the reproach of craft and dissimulation, the court of Versailles hid its insidious conduct under the most seductive expressions; but these very expressions serve to-day to belie its accusations and to recall those sentiments of friendship which should have influenced its actions. Unless the court of Versailles is willing to confess a duplicity unworthy of its greatness, it will be forced to admit that up to the moment when that declaration, which has been regarded as a signal of war, was dictated to the Marquis de Noailles, France was aware of no grievances sufficiently real or important to authorise any violation of the obligations of peace and of those treaties to which she had sworn before God and the universe, or to exempt her from allegiance to a friendship of which she had reiterated to the last her solemn and ardent assurances.

When an adversary is unable to justify his violence before public opinion, or even in his own eyes, by the injuries which he claims to have sustained, he has recourse to the chimerical dangers to which further patience might have exposed him, and in place of solid facts, which are wanting, attempts to substitute a figment of the imagination. The ministers of the Most Christian King, who appear to have realised the futility of the means they had been reduced to employing, make further impotent efforts to reënforce them by the strangest and most odious suspicions. "The court of London was making in its ports armaments and preparations which could not have America for their object; their aim was accordingly too evident for the king to mistake it, and therefore it became

his solemn duty to make arrangements for warding off the evil designs of his enemy, etc. In this state of affairs, the king felt that not a moment was to be lost." Such is the language of France; let us now listen to that of truth.

During the conflict which broke out between Great Britain and her colonies, the court of Versailles had applied itself with the keenest and most determined ardour to the augmentation of its navy. The king does not undertake to rule as a despot over the high seas, but he is aware that his maritime forces have in all ages constituted the protection and glory of his states and that they have often contributed toward defending the liberty of Europe against the ambitious power which has so long sought to enslave her. The sentiment of his dignity and the just sense of his duties and interests urged His Majesty to scrutinise attentively the movements of France, whose dangerous policy, without a motive and without an enemy, was hurrying in all its ports the construction and armament of warships, appropriating a large portion of its revenues to those military preparations of which it was impossible to disclose the necessity or the object. At this juncture, the king could not abstain from following the counsels of prudence and the example of his neighbours; the successive augmentation of their navy has served as a guide for his, and without failing in the regard due to friendly powers, His Majesty has publicly announced to his assembled parliament that it behoved them, in the actual condition of affairs, to see that the defences of England were in a suitable state.

The naval force which England was so carefully strengthening was destined merely to maintain the general peace of Europe, yet while the testimony of his own conscience induced the king to give faith to the professions of the court of Versailles, he was preparing himself not to fear its perfidious and ambitious designs. France ventures now to imply that, instead of confining himself to the rights of lawful defence, the king was engaged in schemes of conquest and that the

“reconciliation of Great Britain with her colonies announced a project on her part of rallying them to the crown to arm them against France.” Since the court of Versailles can excuse its own conduct only by means of a supposition destitute alike of truth and probability, the king has the right to summon that court to show proofs of an assertion as odious as it is bold and to disclose those public transactions or secret intrigues which could authorise a suspicion on the part of France that Great Britain offered peace to her subjects, after a prolonged and painful conflict, solely with the design of undertaking another war against a respectable power with which she had preserved the semblance of friendship.

Having thus faithfully exposed the frivolous motives and pretended grievances of France, let us now recall, with a confidence justified by reason and facts, our first simple and important proposition: that a state of peace existed between the two nations, and that France was bound by every obligation of friendship and by solemn treaties to the king, who had never been false to his lawful engagements. The first article of the treaty signed at Paris, in 1763, between Their Britannic, Most Christian, Catholic, and Most Faithful Majesties confirms in the most precise and solemn manner the obligation which natural law imposes on all nations mutually recognising each other as friends; but these obligations are also detailed and stipulated in this treaty, in terms as forcible as they are just. After embracing in a general formula all the states and subjects of the high contracting parties, it goes on to state that these powers bind themselves to permit no mutual hostilities by land or sea, and also to secure to each other, on every occasion, whatever may contribute to their joint glory, interest, or advantage, never giving aid or comfort directly or indirectly to those who should seek to work injury to either of the high contracting parties. Such was the solemn agreement between France and Great Britain, and it cannot be denied that such a prom-

ise must apply with even greater force to domestic rebels than to enemies foreign to the two crowns.

The revolt of the American colonies put to proof the fidelity of the Versailles court, and, in spite of the many examples Europe has already witnessed of its slight regard for the faith of treaties, its conduct on this occasion has aroused the astonishment and indignation of all nations not blindly devoted to the interests and even the caprices of its ambition. If France had been disposed to fulfil her duties, it had been impossible to misunderstand them, the spirit as well as the letter of the treaty of Paris imposing on her the obligation to close her ports to all American vessels, to forbid her subjects to carry on any commerce with this rebellious people or to afford aid or protection to the domestic enemies of a crown towards which it has sworn a sincere and inviolable friendship. But experience had too thoroughly enlightened the king as to the political system of his former adversaries, for him to hope that they would conform to the just and reasonable principles which secure general tranquillity.

✓ No sooner had the revolted colonies consummated their criminal attempt, by the open declaration of their assumed independence, than they sought to enter into secret relations with those powers least favourable to the interests of the mother country, and to draw from Europe the military succour without which it would have been impossible for them to carry on the war they had undertaken. Their agents attempted to establish themselves in various countries of Europe, but it was only in France that they found an asylum, hope, and succour. It is not consonant with the king's dignity to seek to discover the epoch or the nature of the correspondence which these agents had the address to engage in with the ministers of the court of Versailles, and of which the effects were soon made evident by the general freedom, or rather the unbridled license, of an unlawful commerce. It is sufficiently well known that the vigilance of the laws cannot always repress that skilful smuggling which flourishes under

myriad forms, braving all dangers and eluding all precautions in its avidity for gain; but the conduct of the French merchants who contrived to smuggle into America, not only useful and necessary articles, but also saltpetre, gunpowder, munitions of war, arms, and artillery, plainly showed that they were assured, not only of immunity, but of protection and favour, from the ministers of the court of Versailles.

The vain and difficult task was not even attempted of concealing from the eyes of Great Britain and of Europe the proceedings of a commercial company formed for the purpose of furnishing the Americans with everything that could feed and keep alive the flame of rebellion. The well-informed public were even able to name the head of this enterprise, whose leading house was established in Paris, with branches, equally well known, in Dunkirk, Nantes, and Bordeaux. Their immense magazines of supplies furnished the cargoes of ships which they built or equipped, and whose object and destination they scarcely attempted to disguise. These vessels were commonly provided with false sailing papers made out for the French islands of America, but the merchandise of which their cargoes consisted laid them open to suspicion before they sailed, and these suspicions were speedily confirmed by the course taken by these ships; nor did it cause surprise when it was learned, a few weeks later, that several of them had been captured by the king's officers cruising off the American coast who had seized them upon the very shores of the rebellious colonies. British vigilance was only too well justified by the conduct of those who had the luck or skill to escape, and who proceeded to land on the American shore those stores of arms and munitions of war which they had brought over for the service of the rebels.

Proofs of these transactions, which could only be held as a manifest breach of treaty rights, were constantly multiplied; and the diligence of the king's ambassador in communicating these proofs and his remonstrances to the court of Versailles

left it not even the disgraceful and humiliating resource of pretending to ignore what was constantly going on within its states. The ambassador indicated the names, number, and rank of the vessels which the agents of the American commercial company had equipped in French ports to carry to the rebels, arms, munitions of war, and even French officers who had enlisted in the service of the revolted colonies. The dates, persons, and localities were always pointed out with a precision which afforded the ministers of His Most Christian Majesty every facility for assuring themselves as to the truth of these reports, and for arresting, while it was still time, the progress of these illicit armaments. Amid a multitude of examples which betray the feeble effort made by the court of Versailles to fulfil the obligations of peace, or rather its constant and unremitting efforts to promote war and discord, it is impossible to record everything and difficult to select the most striking examples.

The nine large vessels freighted and equipped by a certain M. de Beaumarchais and his partners in the month of February, 1777, are not to be confounded with the *Amphitrite*, which carried at about the same time a great quantity of munitions of war and thirty French officers who enlisted with impunity in the service of the rebels. Each month and almost each day furnished new subjects of complaint, and a brief extract from the memorandum communicated by Viscount Stormont, the English ambassador, to the Comte de Vergennes, in November of the same year, will give a just but inadequate idea of the nature of the wrongs which Great Britain has so often been called upon to endure: "There is at Rockfort a vessel of sixty guns and at L'Orient an Indian vessel fitted to carry sixty guns; these two vessels are intended for the use of the rebels. They are to be laden with different sorts of merchandise and chartered by Messrs. Chaumont, Holken, and Sabatier. The vessel *L'Heureux* set sail from Marseilles under another name on the twenty-sixth of September; she goes direct to New Hampshire, although her pretended

destination is the West Indies. She has been permitted to take on board three thousand muskets and two thousand five hundred pounds of sulphur, merchandise as necessary to the Americans as it is useless in the islands. This vessel is commanded by M. Lundi, a French officer of distinction, formerly a lieutenant of M. de Bougainville's. The *Hippopotame*, belonging to M. de Beaumarchais, must have on board fourteen thousand muskets and great quantities of munitions of war for the use of the rebels. There are about fifty French vessels which are preparing to sail for North America laden with munitions of war and various sorts of merchandise for the use of the rebels. They will set sail from Nantes, from L'Orient, from St. Malo, Havre, Bordeaux, Bayonne, and various other ports. Here follow the names of some of the parties concerned: M. Chaumont, M. Mention, and his partners, etc."

In a kingdom where the will of the prince encounters no obstacle, such important succour, so public and so long-continued, so necessary in fine to the continuance of the war, reveal clearly enough the ulterior designs of the French ministers; but they carried to still greater lengths this contempt and disregard of their most sacred obligations, for it was not without their authorisation that fleets were fitted out in French ports to sail under the so-called American flag, thus waging an underhand and dangerous warfare beneath the deceitful mask of peace. The favourable reception which the American agents had met with on the part of the French ministry had encouraged them to execute the audacious design of establishing an arsenal and base of naval operations in the country which had given them an asylum. They brought with them, or were able to fabricate, letters of marque in the name of the American Congress, which had the presumption to assume all the rights of sovereignty. Their commercial associates were induced by self-interest to lend a ready compliance to their designs, equipping and arming all the vessels they had purchased or constructed. These ships were armed



for cruises in European waters or even on the coasts of Great Britain. To save appearances the captains of these privateers sailed under the so-called American colours, but their crews were invariably composed of a large proportion of French sailors, who were enlisted with impunity under the very eyes of the governors and officers of the maritime provinces. A numerous swarm of these privateers, animated by the spirit of rapine, sailed out of the French ports, and after having cruised the English waters, they again sought refuge in these same ports. They brought in their prizes, and by virtue of a shallow subterfuge which they occasionally deigned to employ, the sale of these prizes was carried on publicly and conveniently under the eyes of the king's officers, always disposed to protect the commerce of these merchants who violated the laws, thus conforming with the intentions of the French ministry. The privateers enriched themselves upon the spoils of the king's subjects, and after having profited by the absolute liberty afforded them to repair their losses, supply their needs, and procure all their munitions of war, the powder, guns, and rigging required for their next enterprise, they reissued freely from these same ports for another cruise and fresh privateering. The history of the corsair *Reprisal* may be cited amid a host of examples which show plainly the unlawful but scarcely disguised conduct of the court of Versailles.

This vessel, which had brought to Europe a certain Franklin, agent of the revolted colonies, was received with the two prizes which it had captured en route. It remained in the harbour of Nantes as long as suited its views, sailed twice from this port to pillage the king's subjects, and withdrew tranquilly to L'Orient with the latest prizes it had seized. In spite of the most vigorous remonstrances on the part of the king's ambassador and of the most solemn assurances on that of the French ministers, the captain of this privateer was permitted to remain at L'Orient for as long a time as he needed to refit his ship, to provide himself with fifty casks of gun-

powder, and to receive on board all the French sailors who desired to enlist with him. Supplied with these reinforcements, the *Reprisal* sallied for the third time from the port of its allies and soon formed a small squadron of pirates by a concerted junction with the *Lexington* and the *Dolphin*, two privateers, the first of which had already convoyed more than one prize up the river to Bordeaux, and the second, armed at Nantes and with an exclusively French crew, had nothing American about it save its name and its commander.

These three vessels, which so openly enjoyed the protection of the court of Versailles, seized within a short space of time fifteen English ships, most of which were brought back and openly sold in the ports of France. Facts like these, which it would be easy to multiply, supply the place of reproach and argument, and we can dispense with referring on this occasion to the sacredness of treaties; for it is unnecessary to demonstrate that an allied, or even neutral, power can never permit war without violating peace. The principles of international law would doubtless refuse to the ambassador of the most honoured crown this privilege of fitting out privateers which the court of Versailles secretly granted to the agents of rebels in the very heart of France. In its island possessions, the public tranquillity was violated in a yet more audacious manner, and in spite of the changes of governors, the ports of Martinique continually served as a refuge for the privateers which sailed the seas under an American flag, but with a French crew. A certain agent of the rebels, named Bingham, who enjoyed the favour and confidence of two successive governors of Martinique, carried on the armament of privateers and the public sale of their prizes. Two merchant ships, the *Lancashire Hero* and the *Irish Gimblet*, which became the prey of the *Revenge*, asserted that out of its crew of one hundred and twenty-five men, there were only two Americans, and that the owner, who was at the same time that of eleven other privateers, acknowledged himself to be an inhabitant of Martinique, where

he was respected as the favourite and secret agent of the governor himself.

Amidst all these acts of hostility, which it is impossible to qualify by any other name, the court of Versailles still continued to employ the language of peace and amity, while its ministers exhausted all the resources of artifice and dissimulation to silence the just complaints of England, to lull its suspicions, and to stay its measures of resentment. From the outset of the American troubles up to the moment of the declaration of war by the Marquis de Noailles, the ministers of the Most Christian King never ceased renewing the strongest protestations of their pacific intentions; and even though the habitual conduct of the court of Versailles was calculated to inspire a just suspicion, the heart of His Majesty supplied him with powerful motives for believing that France had finally adopted a system of peace and moderation, which would perpetuate the firm and reciprocal happiness of the two nations. The ministers of the court of Versailles strove to excuse the arrival and stay of the agents of the rebels by the strongest assurances that they found in France a refuge only without distinction or encouragement.

Freedom of commerce and avidity for gain served frequently as the pretext for palliating the unlawful speculations of French subjects, and at the very moment when, vainly alleging the powerlessness of the laws to prevent abuses, which neighbouring states were so well able to suppress, the French ministry condemned with every appearance of sincerity, the transport of arms and munitions of war for the service of rebels. To the first remonstrances of the king's ambassador, in regard to the privateers fitted out under the American flag, but in French ports, the ministers of his Most Christian Majesty replied with expressions of surprise and indignation, and by the positive declaration that they would never tolerate enterprises so contrary to treaty obligations and public tranquillity. The succession of incidents, of which we have already cited a few, soon revealed the perfidy of the

court of Versailles, and the English ambassador was commissioned to set before the eyes of the French ministers the serious but inevitable consequences of their policy. He fulfilled his commission with all the deference due to a respectable power, whose friendship we desired to preserve, but with the firmness becoming a sovereign and a nation unaccustomed to commit or to endure injustice. The court of Versailles was summoned to explain its course and intentions without delay or subterfuge, and the king offered it the alternative of peace or war.

France chose peace, but only in order to be able to wound her enemies in a sure and secret manner, without having anything to fear from their justice. She severely condemned those armaments and that aid and succour to the enemy which the law of nations did not permit her to justify. She declared to the ambassador of the king that she had resolved to drive out the American privateers from all French ports and never permit their reëntrance, and that she should henceforth take the most rigorous precautions to put an end to the sale of prizes captured from any subjects of Great Britain. The orders which were accordingly given to this effect astonished the partisans of the rebels, and seemed to arrest the progress of the evil; but the subjects of complaint were renewed daily, and the manner in which these orders were first eluded, then violated, and finally entirely forgotten by the merchants, the privateersmen, and even by the royal officers, could not be excused in favour of the protestations of friendship with which the court of Versailles accompanied these infractions of the peace, until the moment when it announced through its ambassador to London the treaty of alliance just signed with the agents of the revolted American colonies.

If a foreign enemy, recognised by the European powers, had conquered the states of the king in America, and France had confirmed, by a solemn treaty, an act of violence by which a respected neighbour, of whom she professed to be the friend and ally, had been despoiled in the midst of pro-

found peace, all Europe would have risen against the injustice of a proceeding which shamelessly violated all that is held most sacred among men. The first discovery, the uninterrupted possession for two hundred years, and the consent of all nations should have sufficed to prove the rights of Great Britain to the territory of North America, and its sovereignty over the people who had formed settlements there with the permission and under the rule of the king's predecessors. Even if this people have dared to throw off the yoke of authority, or rather of law, and have sought an alliance with strangers in order to support their assumed independence, these strangers cannot accept its alliance, ratify its usurpations, or recognise its independence, except on the supposition that a revolt has more extensive rights than those of war, and without granting to rebellious subjects a legitimate title to conquests which they have only been able to make in defiance of justice and law. The secret enemies of peace, of Great Britain, and perhaps of France herself, had, however, the criminal adroitness to persuade His Most Christian Majesty that he could, without violating the faith of treaties, declare publicly that he received among the number of his allies the rebellious subjects of a king, his neighbour and ally. The professions of friendship accompanying this declaration which the Marquis de Noailles was charged to make to the court of London served only to aggravate the injury by insult; and it was reserved to France to boast of her pacific inclinations at the very moment when her ambition inspired her to execute and avow an act of perfidy without parallel in the history of nations. "However," such is the language which the court of Versailles further ventures to permit itself, "However, it would be deceiving ourselves to believe that it is the recognition of the king of the independence of the thirteen United States of North America which has irritated the king of England. That prince certainly cannot be ignorant of the many examples of a similar kind afforded by the annals of Great Britain and

even of his own reign." Never have these pretended examples existed, never has the king recognised the independence of a people who have thrown off the yoke of their legitimate ruler, and it is melancholy indeed that the ministers of His Most Christian Majesty have taken advantage of the religion of their master to cover with so respectable a name assertions without foundation and without probability which are belied by the recollection of all Europe.

At the outset of the dispute arising between Great Britain and her colonies, the court of Versailles declared that it did not undertake to be a judge in their quarrel; and its ignorance of the principles of the British constitution as well as of the rights and obligations of colonies should have induced that court to adhere to so modest and wise a declaration. France would have spared herself the shame of copying the manifestoes of the American Congress and of pronouncing to-day these words: "That the proceedings of the court of London had obliged its former colonies to have recourse to arms in order to maintain their rights, privileges, and liberties." These vain pretexts have already been confuted in the most convincing manner, and the rights of Great Britain over this rebellious people, her benefits, and her prolonged patience have already been proved by reason and by facts.

It suffices here to remark that France cannot avail herself of the injustice with which she reproaches the court of London, without introducing into European jurisprudence maxims as novel as they are false and dangerous; without implying that any disputes which may arise in the heart of a sovereign and independent state can be submitted to the jurisdiction of a foreign prince, and that this prince can summon before his tribunal, his allies and their rebellious subjects in order to justify the conduct of a people which has shaken off the duties of legitimate obedience. The ministers of the Most Christian King will become aware some day perhaps that their ambition has caused them to overlook the interests

and rights of all sovereigns. The approbation which the court of Versailles has just given to the revolt of the American colonies would not suffer it to condemn the uprising of its own subjects in the new world or those of Spain, which would have far more powerful motives for following the same example, if they were not dissuaded therefrom by the calamities into which these unhappy colonies have plunged themselves.

But France herself appears to feel the weakness, the danger, and the impropriety of these pretensions; and retracting, in the declaration of the Marquis de Noailles as well as in the last manifesto, her assertions as to the right to independence, contents herself with maintaining that the rebellious colonies already possessed in fact that independence which they claimed, that England had even, in some sort, acknowledged it, by allowing certain deeds to stand which laid claim to sovereignty; and thus that France, without violating the peace, could conclude a treaty of friendship and commerce with the United States of North America. This is the way in which Great Britain had acknowledged an independence equally imaginary *de jure et de facto*. Two years had not yet passed since the day when the rebels had announced their criminal intention of shaking off the yoke of the mother country, and this period had been filled by the events of a stubborn and bloody war. Success had been uncertain, but the army of the king, which was in possession of the most important maritime cities, continued to threaten the interior provinces; the English flag reigned over all American waters, and the reëstablishment of their lawful dependence was laid down as an indisputable condition of the peace which Great Britain offered to her rebellious subjects, whose rights, whose interests, and even whose prejudices she respected.

The court of Versailles, which announces with so much "frankness and simplicity" the treaty signed with these so-called States of America, which it found in an independent situation, had contributed by its clandestine aid to feeding

the flames of revolt, and it was the fear of peace which induced France to make use of the rumour of this alliance as the most efficacious means of inflaming the minds of a people who were already beginning to open their eyes to the unhappy consequences of their rebellion, to the tyranny of their new leaders, and to the paternal disposition of their legitimate sovereign.

Under these circumstances it is impossible to deny, without outraging reason and truth, that the declaration of the Marquis de Noailles, of the 13th of March of last year, must be regarded as an actual declaration of war on the part of His Most Christian Majesty; and the assurances "that he had taken eventual measures in conjuncture with the United States of America to maintain that freedom of commerce" which had so many times aroused the legitimate complaints of Great Britain, authorised the king, from that moment, to regard France as an enemy. The court of Versailles cannot fail to acknowledge that the king of England, after having "recalled his ambassador, announced to his Parliament the conduct of His Majesty as an act of hostility of formal and premeditated aggression"; such was in fact the declaration which honour and justice required from the king, and which he communicated without delay to all his ministers in the various courts of Europe, in order to justify in advance the results of his legitimate resentment. Hence it is somewhat futile to search out orders sent to the East Indies or to mark the precise day when the fleets of England or of France put out from their respective ports, or to examine the circumstances of the combat with the *Belle Poule* and the capture of the two frigates, which were in fact seized within sight of the French coast. Hence the reproach directed against the king, of having so long withheld a formal declaration of war, falls to the ground. Such declarations are merely the means which nations have reciprocally agreed upon, to avoid treachery and surprise; but the ceremonies by which this terrible transition from peace to war is announced, the heralds, the proclama-



tions, the manifestoes, are never necessary and are not always the same. The Marquis de Noailles's declaration was the signal for the public rupture of peaceful relations; the king at once proclaimed to all nations that he accepted the war which France offered. The ulterior measures of His Majesty appertained to prudence rather than justice, and Europe is now in a position to judge whether the court of London was without "means to justify a declaration of war, and dared not publicly accuse France of being the aggressor."

Since the alliance between France and the rebellious American colonies had been a manifest infraction of peace and a legitimate motive for war, the court of Versailles had naturally reason to expect that at the first proposal of a peaceful settlement between the two powers, the king would exact on its part full satisfaction in regard to so important a subject, and that France would be obliged to renounce that alliance which had driven His Majesty to take up arms.

The affected surprise manifested to-day by the ministers of the Most Christian King at the firmness of the court of London is sufficiently in accord with that pride which dictated conditions of peace such as the most striking success would hardly justify; and the proposal they ventured upon that the king should withdraw his troops from America and recognise the independence of his rebellious subjects, could only excite the astonishment and indignation of his Majesty.

The slight encouragement which the court of Versailles found for so vain a hope forced it to adopt another expedient, and accordingly a project of agreement was proposed through the mediation of the court of Madrid, less offensive perhaps in form, but equally inadmissible in substance. The Catholic king communicated to the king's ministers, with the consent of France, a proposition for a truce of several years, or rather a general and indefinite suspension of hostilities, during

which the rebellious colonies, the so-called United States of North America, should be regarded as *de facto* independent.

The most casual reflection suffices to lay bare the artifice of this most insidious project and to justify in the eyes of Europe the king's refusal. Between sovereigns who recognise each other, even while at war, prolonged truces or a suspension of hostilities are a mild and salutary means of smoothing away the difficulties which prevent the full conclusion of peace, which can be postponed without disgrace or danger to a more favourable moment. But in this domestic quarrel between Great Britain and her colonies, sovereignty itself, independence *de jure et de facto*, are the very subject in dispute; and the king's dignity did not permit him to accept these propositions which granted at the outset of the negotiations all that could satisfy the ambition of the American rebels, while exacting from His Majesty, without any stipulation in his favour, that he should refrain during a long or indefinite period from any assertion of his most legitimate claims. The court of Versailles deigned, it is true, to consent that the court of London should treat with the Congress either directly or through the medium of the king of Spain. His Majesty assuredly will not stoop to complain of an arrogance which appears to grant to him as a favour the permission of treating directly with his rebellious subjects. But if the Americans themselves are not completely blinded by passion and prejudice, they will clearly see, in the proceedings of France, that their new allies are on the way to become their tyrants, and that their so-called independence, so dearly purchased, will be subject to the despotic will of a foreign court.

If France were able to prove that extreme eagerness which she attributes to the court of London, to seek the mediation of Spain, such eagerness would merely serve to prove the king's just confidence in the goodness of his cause and his esteem for a generous nation which has always despised fraud and perfidy. But the court of London is obliged to

admit that this mediation was offered by the ministers of the Catholic king, and that it has no merit in his eyes beyond that of enabling him to show his sincere and ardent inclination to deliver his subjects, and even his enemies, from the scourge of war. The conduct of the court of Madrid during these negotiations showed the king that a mediator who constantly overlooked his own dearest interests in order to forward the ambition and resentment of a foreign power, would be incapable of proposing secure and honourable terms of agreement. Experience has confirmed his suspicions; the unjust and inadmissible project, which has just been set forth, was the sole fruit of this mediation; and at the very moment when the ministers of the Catholic king were offering, with the most disinterested professions, his capital, his good offices, his guarantee to facilitate the conclusion of the treaty, they afforded obscure glimpses of new subjects of discussion especially involving Spain, but upon which they steadily refused to explain themselves.

His Majesty's refusal to accede to the ultimatum of the court of Madrid was accompanied by all suitable expressions of consideration and regard; and unless that court arrogates to itself the right to dictate conditions of peace to an independent and respectable neighbour, nothing took place in this conjuncture which could disturb the harmony between the two crowns.

But the offensive attitude of Spain, which she was unable to clothe with the feeblest semblance of equity, soon showed that her decision was already reached, and that this decision had been inspired by the French ministry, which had retarded the declaration of the court of Madrid only in the hope of dealing, under the mask of friendship, a mortal blow at the honour and interests of Great Britain.

Such are the unjust and ambitious enemies who have defied the faith of treaties in order to violate public tranquillity, and against whom the king is now defending the rights of his crown and of his people. The event is in the

hands of the Almighty; but His Majesty, who trusts with a firm but humble assurance in the Divine protection, is persuaded that Europe will uphold with her good wishes the justice of his cause and will applaud the success of his arms, which have no other object than to reëstablish the peace of nations on a firm and immovable foundation.

## CRITICAL OBSERVATIONS ON THE DESIGN OF THE SIXTH BOOK OF THE ÆNEID

THE allegorical interpretation which the Bishop of Gloucester has given of the sixth book of the Æneid, seems to have been very favourably received by the public. Many writers, both at home and abroad, have mentioned it with approbation, or at least with esteem; and I have more than once heard it alleged, in the conversation of scholars, as an ingenious improvement on the plain and obvious sense of Virgil. As such, it is not undeserving of the notice of a candid critic; nor can the inquiry be void of entertainment, whilst Virgil is our constant theme. Whatever may be the fortune of the chace, we are sure it will lead us through pleasant prospects and a fine country.

That I may escape the imputation as well as the danger of misrepresenting his lordship's hypothesis, I shall expose it in his own words. "The purpose of this discourse is to shew that Æneas's adventure to the INFERNAL SHADES, is no other than a figurative description of his INITIATION INTO THE MYSTERIES; and particularly a very exact one of the SPECTACLES of the ELEUSINIAN."<sup>1</sup> This general notion is supported with singular ingenuity, dressed up with an easy yet pompous display of learning, and delivered in a style much fitter for the Hierophant of Eleusis, than for a modern critic, who is observing a remote object through the medium of a glimmering and doubtful light:—

Ibant obscuri, solâ sub nocte, per umbram.

<sup>1</sup> See Warburton's Dissertation, &c. in the third volume of Mr. Warton's Virgil. I shall quote indifferently that Dissertation or the Divine Legation itself.

His lordship naturally enough pursues two different methods, which unite, as he apprehends, in the same conclusion. From general principles peculiar to himself, he infers ✓ the propriety and even necessity of such a description of the mysteries; and from a comparison of particular circumstances, he labours to prove that Virgil has actually intro- ✓ duced it into the Æneid. Each of these methods shall be considered separately.

As the learned Prelate's opinions branch themselves out into luxuriant systems, it is not easy to resume them in a few words. I shall, however, attempt to give a short idea of those general principles, which occupy, I know not how, so great a share of the *Divine Legation of Moses demonstrated*.

"The whole system of Paganism, of which the mysteries were an essential part, was instituted by the ancient lawgivers for the support and benefit of society. The mysteries themselves were a school of morality and religion, in which the vanity of Polytheism,<sup>1</sup> and the unity of the First Cause, were revealed to the initiated. Virgil, who intended his immortal poem for a republic in action, as those of Plato and Tully were in precept, could not avoid displaying this first and noblest art of government. His perfect lawgiver must be initiated, as the ancient founders of states had been before him; and as Augustus himself was many ages afterwards."

What a crowd of natural reflections must occur to an unbiassed mind! Was the civil magistrate the mover of the whole machine; the sole contriver, or at least the sole support of religion? Were ancient laws ALWAYS designed for the benefit of the people, and NEVER for the private interest of the lawgiver? Could the first fathers of rude societies instruct their new-made subjects in philosophy as well as in agriculture? Did they all agree, in Britain as in Egypt,

<sup>1</sup> At least of the vulgar polytheism, by revealing that the *dii majorum gentium* had been mere mortals.

in Persia as in Greece, to found these secret schools on the same common principle; which subsisted nearly eighteen hundred years at Eleusis<sup>1</sup> in its primæval purity? Can these things be? Yes, replies the learned Prelate, they are: "Egypt was the mysterious mother of Religion and Policy; and the arts of Egypt were diffused with her colonies over the ancient world. Inachus carried the mysteries into Greece, Zoroaster into Persia,<sup>2</sup> &c. &c." — I retire from so wide a field, in which it would be easy for me to lose both myself and my adversary. The ANCIENT WORLD, EIGHTEEN CENTURIES, and FOUR HUNDRED AUTHORS GENUINE AND APOCRYPHAL,<sup>3</sup> would, under tolerable management, furnish some volumes of controversy; and since I have perused the two thousand and fourteen pages of the unfinished *Legation*, I have less inclination than ever to spin out volumes of laborious trifles.

I shall, however, venture to point out a fact, not very agree-

<sup>1</sup> From their institution, 1399 years before the Christian æra, (Marm. Arundel. Ep. 14,) till their suppression, towards the end of the fourth century.

<sup>2</sup> Though I hate to be positive, yet I would almost venture to affirm, that Zoroaster's connection with Egypt is nowhere to be found, except in the *D. L.*

<sup>3</sup> See a list of four hundred authors, quoted, &c. in the *D. L.* from St. Austin and Aristotle down to Scarron and Rabelais. Amongst these authors we may observe Sanchoniatho, Orpheus, Zaleucus, Charondas, the Oracles of Porphyry, and the History of Jeffrey of Monmouth.

The bishop has entered the lists with the tremendous Bentley, who treated the laws of Zaleucus and Charondas as the forgeries of a sophist. A whole section of mistakes or misrepresentations is devoted to this controversy: but Bentley is no more, and W——n may sleep in peace.

I shall, however, disturb his repose, by asking him on what authority he supposes that the old language of the Twelve Tables was altered for the convenience of succeeding ages. The fragments of those laws, collected by Lipsius, Sylburgius, &c. bear the stamp of the most remote antiquity. Lipsius himself (tom. i. p. 206) was highly delighted with those *antiquissima verba*: but what is much more decisive, Horace (L. ii. Ep. i. ver. 23), Seneca (Epistol. 114), and Aulus Gellius (XX. 1), rank those laws amongst the oldest remains of the Latin tongue. Their obsolete language was admired by the lawyers, ridiculed by the wits, and pleaded by the friends of antiquity as an excuse for the frequent obscurities of that code.

Had an adversary to the *Divine Legation* been guilty of this mistake, I am afraid it would have been styled an *egregious blunder*.

able to the favourite notion, that Paganism was entirely the religion of the magistrate. The oracles were not less ancient, nor less venerable than the mysteries. Every difficulty, religious or civil, was submitted to the decision of those infallible tribunals. During several ages no war could be undertaken, no colony founded, without the sanction of the Delphic oracle; the first and most celebrated among several hundred others.<sup>1</sup> Here then we might expect to perceive the directing hand of the magistrate. Yet when we study their history with attention, instead of the alliance between church and state, we can discover only the ancient alliance between the avarice of the priest and the credulity of the people.

For my own part, I am very apt to consider the mysteries in the same light as the oracles. An intimate connection subsisted between them:<sup>2</sup> Both were preceded and accompanied with fasts, sacrifices, and lustrations; with mystic sights and preternatural sounds: But the most essential preparation for the ASPIRANT, was a general confession of his past life, which was exacted of him by the priest. In return for this implicit confidence, the Hierophant conferred on the initiated a sacred character; and promised them a peculiar place of happiness in the Elysian fields, whilst the souls of the profane (however virtuous they had been) were wallowing in the mire.<sup>3</sup> Nor did the priests of the mysteries neglect to recommend to the brethren a spirit of friendship, and the love of virtue; so pleasing even to the most corrupt minds, and so requisite to render any society respectable in its own eyes. Of all these religious societies, that of Eleusis was the

<sup>1</sup> See Vandale de Oraculis. That valuable book contains whatever can now be known of oracles. I have borrowed his facts; and could with great ease have borrowed his quotations.

<sup>2</sup> The prophet Alexander, whose arts are so admirably laid open by Lucian, instituted his oracle and his mysteries as regular parts of the same plan. It is here we may say, with the learned catholic, "*Les nouveaux Saints me font douter des anciens.*"

<sup>3</sup> See Diogen. Laert. vi. 39, and Menag. ad loc.



most illustrious. From being peculiar to the inhabitants of Attica, it became at last common to the whole Pagan world. Indeed, I should suspect that it was much indebted to the genius of the Athenian writers, who bestowed fame and dignity on whatever had the least connection with their country; nor am I surprised that Cicero and Atticus, who were both initiated, should express themselves with enthusiasm, when they speak of the sacred rites of their beloved Athens.

But our curiosity is yet unsatisfied; we would press forwards into the sanctuary; and are eager to learn WHAT was the SECRET which was revealed to the initiated, and to them alone. Many of the profane, possessed of leisure and ingenuity, have tried to guess, what has been so religiously concealed. The SECRET of each is curious and philosophical; for as soon as we attempt this inquiry, the honour of the mysteries becomes our own.<sup>1</sup> I too could frame an hypothesis, as plausible perhaps, and as uncertain as any of theirs, did I not feel myself checked by the apprehension of discovering what never existed.<sup>2</sup> I admire the discretion of the initiated; but the best security for discretion is, the vanity of concealing that we have nothing to reveal.

The examples of great men, when they cannot serve as

<sup>1</sup> I shall sum them up in a curious passage of the celebrated Freret. "Les sectes philosophiques cherchoient à deviner le dogme caché sous le voile des cérémonies; et tâchoient de le ramener chacune à leur doctrine. Dans l'hypothèse des Epicuriens, adoptée de nos jours par MM. Leclerc et Warburton," (Leclerc adopted it in the year 1687; Mr. Warburton invented it in the year 1738,) "tout ce qu'on révéloit aux adeptes après tant de préparatifs et d'épreuves, c'est que les dieux adorés du vulgaire, avoient été des hommes, &c. Les Stoiciens et les Hylozoistes supposoient qu'on enseignoit aux Initiés, qu'il n'y avoit d'autres dieux que les Éléments et les parties de l'univers matériel. Enfin suivant les nouveaux Platoniciens, ces symboles servoient à couvrir les dogmes d'une théologie et d'une philosophie sublimes, enseignées autrefois par les Egyptiens et les Chaldéens." M. Freret inclines, though with great diffidence, to the last opinion. *Mém. de l'Académie des Inscriptions, &c. tom. xxi.*

<sup>2</sup> Je ne suis pas si convaincu de notre ignorance par les choses qui sont, et dont la raison nous est inconnue, que par celles qui ne sont point, et dont nous trouvons la raison. *Oeuvres de Fontenelle, tom. xi.*

models, may serve as warnings to us. I should be very sorry to have discovered, that an ATHEISTICAL HISTORY<sup>1</sup> was used in the celebration of the mysteries, to prove the unity of the First Cause, and that an ANCIENT HYMN<sup>2</sup> was sung, for the edification of the devout Athenians, which was most probably a MODERN FORGERY of some Jewish or Christian Impostor. Had I delivered THESE TWO DISCOVERIES, with an air of confidence and triumph, I should be still more mortified.

After all, as I am not apt to give the name of Demonstration to what is mere conjecture, his lordship may take advantage of my scepticism, and still affirm, that his favourite mysteries were schools of theism, instituted by the lawgiver. Yet unless Æneas is the lawgiver of Virgil's republic, he has no more business with the mysteries of Athens, than with the laws of Sparta. We will, therefore, reflect a moment on the true nature and plan of the Æneid.

An epic fable must be important as well as interesting: great actions, great virtues, and great distresses, are the peculiar province of heroic poetry. This rule seems to have been dictated by nature and experience, and is very different from those chains in which genius has been bound by artificial criticism. The importance I speak of, is not indeed always dependant on the rank or names of the personages. Columbus, exploring a new world with three sloops and ninety sailors, is a hero worthy of the epic muse; yet our imagina-

<sup>1</sup> *The Fragment of Sanchoniatho's Phœnician History.* Eusebius and Bishop Cumberland have already observed, that the formation of the world is there attributed to the blind powers of matter, without the least mention of an intelligent cause.

<sup>2</sup> *Orpheus's Hymn to Musæus*, quoted by Justin Martyr, and several other fathers, but rejected as spurious by Cudworth, (*Intellectual System*), by Leclerc, (*Hist. Eccl.*), and by Dr. Jortin (*Remarks on Ecclesiastical Hist.* vol. i.). The first of these, the *immortal Cudworth*, is often celebrated by the Bishop of Gloucester; Leclerc's literary character is established; and with respect to Dr. Jortin, I will venture to call him a learned and moderate critic. The few who may not choose to confess, that their objections are unanswerable, will allow that they deserve to be answered.

tion would be much more strongly affected by the image of a virtuous prince saved from the ruins of his country, and conducting his faithful followers through unknown seas and through hostile lands. Such is the hero of the *Æneid*. But his peculiar situation suggested other beauties to the Poet, who had an opportunity of adorning his subject with whatever was most pleasing in Grecian fable, or most illustrious in Roman history. *Æneas* had fought under the walls of *Ilium*; and conducted to the banks of the *Tiber* a colony from which *Rome* claimed her origin.

The character of the hero is expressed by one of his friends in a few words; and though drawn by a friend, does not seem to be flattered:—

Rex erat *Æneas* nobis; quo justior alter  
Nec pietate fuit, nec bello major et armis.<sup>1</sup>

✓ These three virtues, of JUSTICE, of PIETY, of VALOUR, are finely supported throughout the poem.<sup>2</sup>

1. I shall here mention one instance of the hero's justice, which has been less noticed than its singularity seems to deserve.

After *Evander* had entertained his guests, with a sublime simplicity, he lamented, that his age and want of power made him a very useless ally. However, he points out auxiliaries, and a cause worthy of a hero. The *Etruscans*, tired out with the repeated tyrannies of *Mezentius*, had driven that monarch from his throne, and reduced him to implore the protection of *Turnus*. Unsatisfied with freedom, the *Etruscans* called loudly for revenge; and in the poet's opinion, revenge was justice.

<sup>1</sup> *Æneid*, i. 548.

<sup>2</sup> *M. de Voltaire* condemns the latter part of the *Æneid*, as far inferior in fire and spirit to the former. As quoted in the *Legation*, he thinks that *Virgil*

— s'épuise avec *Didon* et rate à la fin *Lavinie*;

a pretty odd quotation for a Bishop; but I most sincerely hope, that neither his lordship nor *Mrs. W*—n are acquainted with the true meaning of the word *rater*.

Ergo omnis *furis* surrexit Etruria *justis*:

*Regem ad Supplicium* presenti Marte reposcunt.<sup>1</sup>

Æneas, with the approbation of gods and men, accepts the command of these brave rebels, and punishes the tyrant with the death he so well deserved. The conduct of Æneas and the Etruscans may, in point of justice, seem doubtful to many; the sentiments of the poet cannot appear equivocal to any one. Milton himself, I mean the Milton of the commonwealth, could not have asserted with more energy the daring pretensions of the people, to punish as well as to resist a tyrant. Such opinions, published by a writer whom we are taught to consider as the creature of Augustus, have a right to surprise us; yet they are strongly expressive of the temper of the times; the republic was subverted, but the minds of the Romans were still republican.

2. Æneas's piety has been more generally confessed than admired. St. Evremond laughs at it as unsuitable to his own temper. The Bishop of Gloucester defends it, as agreeable to his own system of the lawgiver's religion. The French ✓ wit was too superficial, the English scholar too profound, to attend to the plain narration of the Poet, and the peculiar circumstances of ancient heroes. We believe from faith and reason: THEY believed from the report of their senses. Æneas had seen the Grecian divinities overturning the foundations of fated Troy. He was personally acquainted with his mother Venus, and with his persecutor Juno. Mercury, who commanded him to leave Carthage, was as present to his eyes as Dido, who strove to detain him. Such a knowledge of religion, founded on sense and experience, must insinuate itself into every instant of our lives, and determine every action. All this is, indeed, fiction; but it is fiction in which we choose to acquiesce, and which we justly consider as the charm of poetry. If we allow, that Æneas lived in an intimate commerce with superior beings, we must like-

<sup>1</sup> Æneid, viii. 495.

wise allow his love or his fear, his confidence or his gratitude, towards those beings, to display themselves on every proper occasion. Far from thinking Æneas too pious, I am sometimes surprised at his want of faith. Forgetful of the Fates, which had so often and so clearly pointed out the destined shores of Latium, he deliberates whether he shall not sit down quietly in the fields of Sicily. An apparition of his father is necessary to divert him from this impious and ungenerous design.

3. A hero's valour will not bear the rude breath of suspicion; yet has the courage of Æneas suffered from an unguarded expression of the Poet:—

*Extemplo Æneæ solvuntur frigore membra;  
Ingemit.<sup>1</sup>*

On every other occasion the Trojan chief is daring without rashness, and prudent without timidity. In that dreadful night, when Troy was delivered up to her hostile gods, he performed every duty of a soldier, a patriot, and a son.

— *Moriamur, et in media arma ruamus.  
Una salus victis, nullam sperare salutem.<sup>2</sup>*

*Iliaci cineres, et flamma extrema meorum,  
Testor, in casu vestro, nec tela, nec ullas  
Vitavisse vices Danaum; et, si fata fuissent  
Ut caderem, meruisse manu.<sup>3</sup>*

To quote other proofs of the same nature would be to copy the six last books of the Æneid. I cannot, however, forbear mentioning the calm and superior intrepidity of the hero, when, after the perfidy of the Rutuli, and his wound, he rushed again to the field, and restored victory by his presence alone.

*Ipse neque aversos dignatur sternere morti;  
Nec pede congressos æquo, nec tela ferentes  
Insequitur: solum densa in caligine Turnum  
Vestigat lustrans, solum in certamina poscit.<sup>4</sup>*

<sup>1</sup> Æneid, i. 96.

<sup>2</sup> Idem, ii. 353.

<sup>3</sup> Idem, ii. 431.

<sup>4</sup> Idem, xii. 464.

At length, indignant that his victim has escaped, his contempt gives way to fury:—

Jam tandem invadit medios, et Marte secundo  
Terribilis, sævam nullo discrimine cædem  
Suscitat, irarumque omnes effundit habenas.<sup>1</sup>

The heroic character of Æneas has been understood and admired by every attentive reader. But to discover the **LAWGIVER** in Æneas, and a **SYSTEM OF POLITICS** in the Æneid, required the **CRITICAL TELESCOPE**<sup>2</sup> of the great W——n. The naked eye of common sense cannot reach so far. I revolve in my memory the harmonious sense of Virgil. Virgil seems as ignorant as myself of his political character. I return to the less pleasing pages of the *Legation*: so far from condescending to proofs, the Author of the *Legation* is even sparing of conjectures.

“Many political instructions may be drawn from the Æneid.” And from what book which treats of **MAN**, and the adventures of human life, may they not be drawn? His Lordship’s chemistry (did his hypothesis require it) would extract a **SYSTEM OF POLICY** from the **ARABIAN NIGHTS ENTERTAINMENTS**.

“A system of policy delivered in the example of a great prince must show him in every public occurrence of life. Hence, Æneas was of necessity to be found voyaging with Ulysses, and fighting with Achilles.”<sup>3</sup>

<sup>1</sup> Æneid, xii. 497.

<sup>2</sup> Others are furnished by criticism with a *telescope*. They see with great clearness whatever is too remote to be discovered by the rest of mankind; but are totally blind to all that lies immediately before them. They discover in every passage some secret meaning, some remote allusion, some artful allegory, or some occult imitation, which no other reader ever suspected: but they have no perception of the cogency of arguments, the contexture of narration, the various colours of diction, or the flowery embellishments of fancy. Of all that engages the attention of others they are totally insensible; while they pry into the worlds of conjecture, and amuse themselves with phantoms in the clouds. *Rambler*.

<sup>3</sup> D. L. vol. i.

There is another public occurrence, at least as much in the character of a **LAWGIVER**, as either voyaging or fighting; I mean **GIVING LAWS**. Except in a single line,<sup>1</sup> Æneas never appears in that occupation. In Sicily, he compliments Acestes with the honour of giving laws to the colony, which he himself had founded:—

Interea Æneas urbem designat aratro,  
Sortiturque domos: hoc Ilium, et hæc loca Trojæ  
Esse jubet. Gaudet regno, Trojanus Acestes,  
Indicitque forum, et patribus dat jura vocatis.<sup>2</sup>

In the solemn treaty, which is to fix the fate of his posterity, he disclaims any design of innovating the laws of Latium. On the contrary, he only demands a hospitable seat for his gods and his Trojans; and professes to leave the whole authority to King Latinus:—

Non ego, nec Teucris Italos parere jubebo,  
Nec mihi regna peto: paribus se legibus ambæ  
Invictæ gentes æterna in fœdera mittant.  
Sacra deosque dabo: socer arma Latinus habeto  
Imperium solemne socer: mihi mœnia Teucri  
Constituent, urbique dabit Lavinia nomen.<sup>3</sup>

“But, after all, is not the fable of the Æneid the establishment of an empire?” Yes, in one sense, I grant it is. Æneas had many external difficulties to struggle with. When the Latins were defeated, Turnus slain, and Juno appeased, these difficulties were removed. The hero’s labour was over, the lawgiver’s commenced from that moment; and, as if Virgil had a design against the bishop’s system, at that very moment the Æneid ends. Virgil, who corrected with judgment and felt with enthusiasm, thought perhaps, that the sober arts of peace could never interest a reader, whose mind had been so long agitated with scenes of distress and slaughter. He might perhaps say, like the Sylla of Montesquieu, “J’aime à remporter des victoires, à fonder ou dé-

<sup>1</sup> Æneid, iii. 137.

<sup>2</sup> Idem, v. 755.

<sup>3</sup> Idem, xii. 189.

truire des états, à faire des ligues, à punir un usurpateur; mais pour ces minces détails de gouvernement, où les génies médiocres ont tant d'avantages, cette lente exécution des loix, cette discipline d'une milice tranquille, mon ame ne scauroit s'en occuper."<sup>1</sup>

Had Virgil designed to compose a POLITICAL INSTITUTE, the example of Fenelon, his elegant imitator, may give us some notion of the manner in which he would have proceeded. The preceptor of the Duke of Burgundy professedly designed to educate a prince for the happiness of the people. Every incident in his pleasing romance is subservient to that great end. The goddess of wisdom, in a human shape, conducts her pupil through a varied series of instructive adventure; and every adventure is a lesson or a warning for Telemachus. The pride of Sesostris, the tyranny of Pygmalion, the perfidy of Adrastus, and the imprudence of Idomeneus, are displayed in their true light. The innocence of the inhabitants of Boëtica, the commerce of Tyre, and the wise laws of Crete and Salentum, instructed the prince of the various means by which a people may be made happy. From the Telemachus of Fenelon, I could pass with pleasure to the Cyropœdia of Xenophon. But I should be led too far from my subject, were I to attempt to lay open the true nature and design of that philosophical history. We must return from Fenelon and Xenophon to the Bishop of Gloucester.

His Lordship props the legislative character of Æneas with an additional support: "Augustus, who was shadowed in the person of Æneas, was initiated into the Eleusinian mysteries.<sup>2</sup> *Ergo, &c.*" This doctrine of types and shadows, though true in general, has on this, as well as on graver occasions, produced a great abuse of reason, or at least of reasoning. To confine myself to Virgil, I shall only say, that he was too judicious to compliment the emperor at the expense of good sense and probability. Every age has its

<sup>1</sup> Œuvres de Montesquieu, tom. iii.

<sup>2</sup> D. L. vol. i.



manners; and the poet must suit his hero to the age, and not the age to his hero. It is easy to give instances of this truth. Marc Antony, when defeated and besieged in Alexandria, challenged his competitor to decide their quarrel by a single combat. This was rejected by Augustus with contempt and derision, as the last effort of a desperate man;<sup>1</sup> and the world applauded the prudence of Augustus, who preferred the part of a general to that of a gladiator. The temper and good sense of Virgil must have made him view things in the same light; yet, when Virgil introduces Æneas in similar circumstances, he gives him a quite different conduct. The hero wishes to spare the innocent people, provokes Turnus to a single combat, and, even after the perfidy and last defeat of the Rutuli, is still ready to risk his person and victory, against the unhappy life and desperate fortunes of his rival. The laws of honour are different in different ages; and a behaviour which in Augustus was decent, would have covered Æneas with infamy.

We may apply this observation to the very case of the Eleusinian mysteries. Augustus was initiated into them, at a time when Eleusis was become the COMMON TEMPLE OF THE UNIVERSE. The Trojan hero could not, with the smallest propriety, set him that example; as the Trojan hero lived in an age when those rites were confined to the natives of Greece, and even of Attica.<sup>2</sup>

I have now wandered through the scientific maze in which the Bishop of Gloucester has concealed his first and general argument. It appears (when resumed) to amount to this irrefragable demonstration, "THAT IF THE MYSTERIES WERE INSTITUTED BY LEGISLATORS (which they probably were not,) ÆNEAS (who was no legislator) MUST OF COURSE BE INITIATED INTO THEM BY THE POET."

<sup>1</sup> Plutarch, in Vit. M. Anton. tom. i. 950, edit. Wechel.

<sup>2</sup> Plutarch, in Vit. Thesei, tom. i. Herodot. viii. 65. Cicero de Nat. Deor. i. 42. The gradation of Athenians, Greeks, and mankind at large, may be traced in these passages.

And here I shall mention a collateral reason assigned by his Lordship, which might engage Virgil to introduce a description of the mysteries: the PRACTICE OF OTHER POETS. This proof is so exceedingly brittle, that I fear to handle it; and shall report it faithfully in the words of our ingenious critic:<sup>1</sup>

“Had the old poem under the name of Orpheus been now extant, it would perhaps have shewn us, that no more was meant than Orpheus’s initiation; and that the hint of this Sixth Book was taken from thence.”

As nothing now remains of that old poem, except the title, it is not altogether so easy to guess what it would or would not have shewn us.

“But farther, it was customary for the poets of the Augustan age to exercise themselves on the subject of the mysteries, as appears from Cicero, who desires Atticus, then at Athens, and initiated, to send to Chilius, a poet of eminence, an account of the Eleusinian mysteries; in order, as it should seem, to insert them in some poem he was then writing.”

The Eleusinian mysteries are not mentioned in the original passage. Cicero, using the obscure brevity of familiar letters, desires that Atticus would send their friend Chilius, ΕΤ-ΜΟΛΠΙΔΩΝ ΠΑΤΡΙΑ,<sup>2</sup> which may signify twenty different things, relative either to the worship of Ceres in particular, or to the Athenian institutions in general; but which can hardly be applied to the Eleusinian mysteries.<sup>3</sup>

<sup>1</sup> D. L. vol. i.

<sup>2</sup> Chilius te rogat, et ego ejus rogatû, *εὐμολπίδων πατρία*. *Cicero ad Attic.* i. 9.

<sup>3</sup> As the Bishop of Gloucester alleges the authority of Victorius, I shall shelter myself under the names and reasons of Grævius and the Abbé Mongault, and even transcribe the words of the former. “Non est ut hic intelliguntur ritus illi secretiores, qui tantûm mystis notierant, et sine capitis periculo vulgari non poterant, sed illa sacra et ceremoniæ, quibus in Eleusiniis celebrandis utebantur in omnium oculis Eumolpidæ; quasque poetæ et prisci scriptores alii commemorant passim: aut fortè per Eumolpidas intelligit tectè ipsos Athenienses: ut petierit Chilius, Atheniensium leges et disciplinam sibi describi et mitti.”

"Thus it appears that both the ancient and modern poets afforded Virgil a pattern for this famous episode."

How does this appear? From an old poem, of whose contents the critic is totally ignorant, and from an obscure passage, the meaning of which he has most probably mistaken.

Instead of conjecturing what Virgil might or ought to do, it would seem far more natural to examine what he has done. The Bishop of Gloucester attempts to prove, that the descent to hell is properly an initiation; since the Sixth Book of the *Æneid* really contains the secret doctrine as well as the ceremonies of the Eleusinian mysteries.

What was this SECRET DOCTRINE? As I profess my ignorance, we must consult the oracle. "The secret doctrine of the mysteries revealed to the initiated, that JUPITER . . . AND THE WHOLE RABBLE OF LICENTIOUS DEITIES WERE ONLY DEAD MORTALS."<sup>1</sup> Is any thing like this laid open in the Sixth Book of Virgil? Not the remotest hint of it can be discovered throughout the whole book; and thus, to use his Lordship's own words, SOMETHING (I had almost written EVERY THING) is still wanting "to complete the IDENTIFICATION."

Notwithstanding this disappointment, which is cautiously concealed from the reader, the learned Bishop still courses round the Elysian Fields in quest of a secret. Once he is so lucky as to find *Æneas* talking with the poet Musæus, whom tradition has reckoned among the founders of the Eleusinian mysteries. The critic listens to their conversation; but, alas! *Æneas* is only inquiring, in what part of the garden he may find his father's shade; to which Musæus returns a very polite answer. Anchises himself is our last hope. As that venerable shade explains to his son some mysterious doctrines, concerning the universal mind and the trans-

<sup>1</sup> D. L. vol. i.

migration of souls, his Lordship is pleased to assure us, that these are THE HIDDEN DOCTRINES OF PERFECTION revealed only to the initiated. Let us for a moment lay aside hypothesis, and read Virgil.

It is observable, that the three great poets of Rome were all addicted to the Epicurean philosophy; a system, however, the least suited to a poet; since it banishes all the genial and active powers of nature, to substitute in their room a dreary void, blind atoms, and indolent gods. A description of the infernal shades was incompatible with the ideas of a philosopher whose disciples boasted, that he had rescued the captive world from the tyranny of religion, and the fear of a future state. These ideas Virgil was obliged to reject: but he does still more; he abandons not only the CHANCE of Epicurus, but even these gods, whom he so nobly employs in the rest of his poem, that he may offer to the reader's imagination a far more specious and splendid set of ideas:—

Principio cœlum, ac terras, camposque liquentes,  
Lucentemque globum lunæ, Titaniaque astra  
Spiritus intus alit, totamque infusa per artus  
Mens agitat molem, et magno se corpore miscet.<sup>1</sup>

The more we examine these lines, the more we shall feel the sublime poetry of them. But they have likewise an air of philosophy, and even of religion, which goes off on a nearer approach. The mind which is INFUSED<sup>2</sup> into the several parts of matter, and which MINGLES ITSELF with the mighty mass, scarcely retains any property of a spiritual substance; and bears too near an affinity to the principles, which the impious Spinoza revived rather than invented.

I am not insensible, that we should be slow to suspect, and still slower to condemn. The poverty of human language, and the obscurity of human ideas, make it difficult to speak

<sup>1</sup> Æneid, vi. 724.

<sup>2</sup> Quomodo porro Deus iste si nihil esset nisi animus, aut infixus aut infusus esset in mundo. *Cicero de Naturâ Deor.* L. i. c. ii.

worthily of **THE GREAT FIRST CAUSE**. Our most religious poets, in striving to express the presence and energy of the Deity, in every part of the universe, deviate unwarily into images, which are scarcely distinguished from materialism. Thus our Ethic Poet : —

All are but parts of one stupendous whole,  
Whose body Nature is, and God the soul ;<sup>1</sup>

and several passages of Thomson require a like favourable construction. But these writers deserve that favour, by the sublime manner in which they celebrate the great Father of the Universe, and by those effusions of love and gratitude, which are inconsistent with the materialist's system. Virgil has no such claim to our indulgence. **THE MIND** of the **UNIVERSE** is rather a metaphysical than a theological being. His intellectual qualities are faintly distinguished from the powers of matter, and his moral attributes, the source of all religious worship, form no part of Virgil's creed.

Yet is this creed approved<sup>2</sup> by our orthodox prelate, as free from any mixture of Spinozism. I congratulate his Lordship on his indulgent and moderate temper. His brethren (I mean those of former times) had much sharper eyes for spying out a latent heresy. Yet I cannot easily persuade myself, that Virgil's notions were ever the creed of a religious society, like that of the mysteries. Luckily, indeed, I have no occasion to persuade myself of it; unless I should prefer his Lordship's mere authority to the voice of antiquity, which assures me, that this system was either invented or imported into Greece by Pythagoras; from the writings of whose disciples Virgil might so very naturally borrow it.

Anchises then proceeds to inform his son, that the souls both of men and of animals were of celestial origin, and (as I understand him) parts of the universal mind; but that by their union with earthly bodies they contracted such impurities

<sup>1</sup> Pope's *Essay on Man*, Epist. i. ver. 367.

<sup>2</sup> D. L. vol. i.

as even death could not purge away. Many expiations, continues the venerable shade, are requisite, before the soul, restored to its original simplicity, is capable of a place in Elysium. The far greater part are obliged to revisit the upper world, in other characters and in other bodies; and thus, by gradual steps, to reascend towards their first perfection.

This moral transmigration was undoubtedly taught in the mysteries. As the bishop asserts this from the best authority, we are surprised at a sort of diffidence, unusual to his Lordship, when he advances things from his own intuitive knowledge. In one place, this transmigration is part of the hidden doctrine of perfection;<sup>1</sup> in another, it is one of those principles which were promiscuously communicated to all. The truth seems to be, that his Lordship was afraid to rank among the secrets of the mysteries, what was professed and believed by so many nations and philosophers. The pre-existence of the human soul is a very natural idea; and from that idea speculations and fables of its successive revolution through various bodies will arise. From Japan to Egypt, the transmigration has been part of the popular and religious creed.<sup>2</sup> Pythagoras<sup>3</sup> and Plato<sup>4</sup> have endeavoured to demonstrate the truth of it, by facts, as well as by arguments.

Of all these visions (which should have been confined to the poets) none is more pleasing and sublime, than that which Virgil has invented. Æneas sees before him his posterity, the heroes of ancient Rome; a long series of airy forms

Demanding life, impatient for the skies,

and prepared to assume, with their new bodies, the little passions and transient glories of their destined lives.

<sup>1</sup> D. L. vol. i.

<sup>2</sup> See our modern relations of Japan, China, India, &c. and for Egypt, Herodotus, L. ii.

<sup>3</sup> Ovid. *Metamorph.* xv. 69, &c. 158. &c.

<sup>4</sup> Plato in *Phædro* and in *Republic*. L. x.

Having <sup>1</sup> thus revealed the secret doctrine of the mysteries, the learned Prelate examines the ceremonies. With the assistance of Meursius,<sup>2</sup> he pours out a torrent of erudition to convince us, that the scenes through which Æneas passed in his descent to the shades, were the same as were represented to the aspirants in the celebration of the Eleusinian mysteries. From thence his lordship draws his great conclusion, that the descent is no more than an emblem of the hero's initiation.

A staunch polemic will feed a dispute, by dwelling on every accessary circumstance, whilst a candid critic will confine himself to the more essential points of it. I shall, therefore, readily allow, what I believe may in general be true, that the mysteries exhibited a theatrical representation of all that was believed or imagined of the lower world; that the aspirant was conducted through the mimic scenes of Erebus, Tartarus, and Elysium; and that a warm enthusiast in describing these awful spectacles, might express himself as if he had actually visited the infernal regions.<sup>3</sup> All this I can allow, and yet allow nothing to the Bishop of Gloucester's hypothesis. It is not surprising that the COPY was like the ORIGINAL; but it still remains undetermined, WHETHER VIRGIL INTENDED TO DESCRIBE THE ORIGINAL OR THE COPY.

Lear and Garrick, when on the stage, are the same; nor is it possible to distinguish the player from the monarch. In the green-room, or after the representation, we easily perceive, what the warmth of fancy and the justness of imitation had concealed from us. In the same manner it is from extrinsical circumstances, that we may expect the discovery of Virgil's allegory. Every one of those circumstances persuades me, that Virgil described a real, not a mimic world, and that the scene lay in the infernal shades, and not in the temple of Ceres.

<sup>1</sup> I shall mention here, once for all, that I do not always confine myself to the ORDER of his Lordship's PROOFS.

<sup>2</sup> Meursii Eleusinia, sive de Cereris Eleusinae sacro.

<sup>3</sup> See D. L. vol. i.

The singularity of the Cumæan shores must be present to every traveller who has once seen them. To a superstitious mind, the thin crust, vast cavities, sulphureous steams, poisonous exhalations, and fiery torrents, may seem to trace out the narrow confines of the two worlds. The lake Avernus was the chief object of religious horror; the black woods which surrounded it, when Virgil first came to Naples, were perfectly suited to feed the superstition of the people.<sup>1</sup> It was generally believed, that this deadly flood was the entrance of hell;<sup>2</sup> and an oracle was once established on its banks, which pretended, by magic rites, to call up the departed spirits.<sup>3</sup> Æneas, who revolved a more daring enterprise, addresses himself to the priestess of those dark regions. Their conversation may perhaps inform us, whether an initiation, or a descent to the shades, was the object of this enterprise. She endeavours to deter the hero, by setting before him all the dangers of his rash undertaking:—

————— *Facilis descensus Averni:*  
*Noctes atque dies patet atri janua Ditis;*  
*Sed revocare gradum, superasque evadere ad auras,*  
*Hoc opus, hic labor est.*<sup>4</sup>

These particulars are absolutely irreconcilable with the idea of initiation, but perfectly agreeable to that of a real descent. That every step, and every instant, may lead us to the grave is a melancholy truth. The mysteries were only open at stated times, a few days at most in the course of the year. The mimic descent of the mysteries was laborious and dangerous, the return to light easy and certain. In real death, this order is inverted:—

————— *Pauci, quos æquus amavit*  
*Jupiter, aut ardens evexit ad æthera virtus,*  
*Diis geniti, potuere.*<sup>5</sup>

<sup>1</sup> Strabo, L. v.

<sup>2</sup> Silius Italicus, L. xii.

<sup>3</sup> Diod. Sicul. L. iv. p. 267. Edit. Wesseling.

<sup>4</sup> Æneid, vi. 126.

<sup>5</sup> Idem, vi. 129.



These heroes, as we learn from the speech of Æneas, were Hercules, Orpheus, Castor and Pollux, Theseus, and Pirithous. Of all these, antiquity believed, that before their death they had seen the habitations of the dead; nor, indeed, will any of the circumstances tally with a supposed initiation. The adventure of Eurydice, the alternate life of the brothers, and the forcible intrusion of Alcides, Theseus, and Pirithous, would mock the endeavours of the most subtle critic, who should try to melt them down into his favourite mysteries. The exploits of Hercules, who triumphed over the king of terrors, —

Tartareum ille manu custodem in vincla petivit,  
Ipsius à solio regis traxitque trementem;<sup>1</sup>

was a wild imagination of the Greeks.<sup>2</sup> But it was the duty of ancient poets to adopt and embellish these popular traditions; and it is the interest of every man of taste, to acquiesce in THEIR POETICAL FICTIONS.

After this, we may leave ingenious men to search out what, or whether any thing gave rise to those idle stories. Diodorus Siculus represents Pluto as a kind of undertaker, who made great improvements in the useful art of funerals.<sup>3</sup> Some have sought for the poetic hell in the minds of Epirus,<sup>4</sup> and others in the mysteries of Egypt. As this last notion was published in French,<sup>5</sup> six years before it was invented in English,<sup>6</sup> the learned author of the *D. L.* has been severely

<sup>1</sup> Æneid, vi. 395.

<sup>2</sup> Homer, Odyss. L. xi. ver. 623. Apoll. Biblioth. L. ii. c. 5.

<sup>3</sup> Diodor. Sicul. L. v. Edit. Wesseling.

<sup>4</sup> Leclerc Biblioth. Universelle, tom. vi.

<sup>5</sup> By the Abbé Terasson, in his philosophical romance of Sethos, printed at Amsterdam in the year 1732. See the third book, from beginning to end. The author was a scholar and a philosopher. His book has far more variety and originality than Telemachus. Yet Sethos is forgotten, and Telemachus will be immortal. That harmony of style, and the great talent of speaking to the heart and passions, which Fenelon possessed, was unknown to Terasson. I am not surprised that Homer was admired by the one, and criticized by the other.

<sup>6</sup> See *D. L.* vol. i. The first edition was printed in London, in the year 1738.

treated by some ungenerous adversaries.<sup>1</sup> Appearances, it must be confessed, wear a very suspicious aspect: but what are appearances, when weighed against his lordship's declaration, "That this is a point of honour in which he is particularly delicate; and that he may venture to boast, that he believes no author was ever more averse to take to himself what belonged to another."<sup>2</sup> Besides, he has enriched this mysterious discovery with many collateral arguments, which would for ever have escaped all inferior critics. In the case of Hercules, for instance, he demonstrates, that the initiation and the descent to the shades were the same thing, because an ancient has affirmed that they were different;<sup>3</sup> and that Alcides was initiated at Eleusis, before he set out for Tænarus, in order to descend to the infernal regions.

There is, however, a single circumstance, in the narration of Virgil, which has justly surprised critics, unacquainted with any but the obvious sense of the poet; I mean the IVORY GATE. The Bishop of Gloucester seizes this, as the secret mark of allegory, and becomes eloquent in the exultation of triumph. I could, however, represent to him, that in a work which was deprived of the author's last revision, Virgil might too hastily employ what Homer had invented, and at last unwarily slide into an Epicurean idea. Let this be as it may, an obscure expression is a weak basis for an elaborate system; and whatever his lordship may choose to do, I had much rather reproach my favourite poet with want of care in one line, than with want of taste throughout a whole book.<sup>4</sup>

<sup>1</sup> Cowper's Life of Socrates.

<sup>2</sup> Letter from a late professor of Oxford, &c.

<sup>3</sup> D. L. vol. iii.

<sup>4</sup> Horace seems to have used as unguarded an expression:

————— Et adscribi *quietis*

Ordinibus patiar deorum. — *Od. L. iii. 3.*

The word and idea of *Quietus* are perfectly Epicurean; but rather clash with the active passions displayed in the rest of Juno's speech.

His lordship (D. L. vol. II. p. 140) accuses Virgil himself of a like inattention; which, with his usual gentleness, he calls an *absurdity*.

Virgil has borrowed, as usual, from Homer his episode of the infernal shades, and, as usual, has infinitely improved what the Grecian had invented. If, among a profusion of beauties, I durst venture to point out the most striking beauties of the Sixth Book, I should perhaps observe, 1. That after accompanying the hero through the silent realms of night and chaos, we see with astonishment and pleasure a new creation bursting upon us; 2. That we examine, with a delight which springs from the love of virtue, the just empire of Minos; in which the apparent irregularities of the present system are corrected; and where the patriot who died for his country is happy, and the tyrant who oppressed it is miserable. 3. As we interest ourselves in the hero's fortunes, we share his feelings: the melancholy Palinurus, the wretched Deiphobus, the indignant Dido; the Grecian kings who tremble at his presence, and the venerable Anchises who embraces his pious son, and displays to his sight the future glories of his race; all these objects affect us with a variety of pleasing sensations.

Let us for a moment obey the mandate of our great critic, and consider these awful scenes as a mimic shew, exhibited in the temple of Ceres, by the contrivance of the priest, or, if he pleases, of the legislator. Whatever was animated, (I appeal to every reader of taste,) whatever was terrible, or whatever was pathetic, evaporates into lifeless allegory:—

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tenuem sine viribus umbram.

Dat inania verba,

Dat sine mente sonum, gressusque effingit euntis.

The end of philosophy is truth; the end of poetry is pleasure. I willingly adopt any interpretation which adds new beauties to the original; I assist in persuading myself, that it is just; and could almost shew the same indulgence to the critic's as to the poet's fiction. But should a grave doctor lay out fourscore pages in explaining away the sense and spirit of Virgil, I should have every inducement to

believe, that Virgil's soul was very different from the doctor's.

I have almost exhausted my own, and probably my reader's patience, whilst I have obsequiously waited on his lordship, through the several stages of an intricate hypothesis. He must now permit me to allege two very simple reasons, which persuade me, that Virgil has not revealed the secret of the Eleusinian mysteries; the first is HIS IGNORANCE, and the second HIS DISCRETION.

1. As his lordship has not made the smallest attempt to prove that Virgil was himself initiated, it is plain that he supposed it, as a thing of course. Had he any right to suppose it? By no means: that ceremony might naturally enough finish the education of a young Athenian; but a barbarian, a Roman, would most probably pass through life without directing his devotion to the foreign rites of Eleusis.

The philosophical sentiments of Virgil were still more unlikely to inspire him with that kind of devotion. It is well known that he was a determined Epicurean;<sup>1</sup> and a very natural antipathy subsisted between the Epicureans and the managers of the mysteries. The celebration opened with a solemn excommunication of those atheistical philosophers, who were commanded to retire, and to leave that holy place for pious believers;<sup>2</sup> the zeal of the people was ready to enforce this admonition. I will not deny, that curiosity might sometimes tempt an Epicurean to pry into these secret rites; and that gratitude, fear, or other motives, might engage the Athenians to admit so irreligious an aspirant. Atticus was initiated at Eleusis; but Atticus was the friend and benefactor of Athens.<sup>3</sup> These extraordinary exceptions may be proved, but must not be supposed.

Nay, more; I am strongly inclined to think that Virgil

<sup>1</sup> See the Life of Virgil by Donatus, the Sixth Eclogue, and Second Georgic, v. 490.

<sup>2</sup> Lucian in Alexandro.

<sup>3</sup> Cornel. Nepos, in Vit. Attici, c. 2, 3, 4.

was never out of Italy till the last year of his life. I am sensible, that it is not easy to prove a negative proposition, more especially when the materials of our knowledge are so very few and so very defective;<sup>1</sup> and yet by glancing our eye over the several periods of Virgil's life, we may perhaps attain a sort of probability, which ought to have some weight, since nothing can be thrown into the opposite scale.

Although Virgil's father was hardly of a lower rank than Horace's, yet the peculiar character of the latter afforded his son a much superior education: Virgil did not enjoy the same opportunities of observing mankind on the great theatre of Rome, or of pursuing philosophy, in her favourite shades of the academy.

Adjecere bonæ paulò plus artis Athenæ:  
Scilicet ut possem curvo dignoscere rectum,  
Atque inter sylvas academi quærere verum.<sup>2</sup>

The sphere of Virgil's education did not extend beyond Mantua, Cremona, Milan, and Naples.<sup>3</sup>

After the accidents of civil war had introduced Virgil to the knowledge of the great, he passed a few years at Rome, in a state of dependence, the *JUVENUM NOBILIUM CLIENS*.<sup>4</sup> It was during that time that he composed his Eclogues, the hasty productions of a muse capable of far greater things.<sup>5</sup>

By the liberality of Augustus and his courtiers, Virgil soon became possessed of an affluent fortune.<sup>6</sup> He composed

<sup>1</sup> The life of Virgil, attributed to Donatus, contains many characteristic particulars; but which are lost in confusion, and disgraced with a mixture of absurd stories, such as none but a monk of the darker ages could either invent or believe. I always considered them as the interpolations of some more recent writer; and am confirmed in that opinion by the life of Virgil, pure from those additions which Mr. Spence lately published, from a Florence MS. at the beginning of Mr. Holdsworth's valuable observations on Virgil.

<sup>2</sup> Horat. L. II. Ep. ii. ver. 43.

<sup>3</sup> Donat. in Virgil.

<sup>4</sup> Horat. L. IV. Od. xii.

<sup>5</sup> Donat. in Virgil.

<sup>6</sup> Prope *Centies Sestertium*, about eighty thousand pounds.

the Georgics and the Æneid in his elegant villas of Campania and Sicily; and seldom quitted those pleasing retreats even to come to Rome.<sup>1</sup>

After he had finished the Æneid, he resolved on a journey into Greece and Asia, to employ three years in revising and perfecting that poem, and to devote the remainder of his life to the study of philosophy.<sup>2</sup> He was at Athens, with Augustus, in the summer of A.U.C. 735; and whilst Augustus was at Athens, the Eleusinian mysteries were celebrated.<sup>3</sup> It is not impossible, that Virgil might then be initiated, as well as the Indian philosopher;<sup>4</sup> but the Æneid could receive no improvement from his newly acquired knowledge. He was taken ill at Megara. The journey increased his disorder, and he expired at Brundisium, the twenty-second of September of the same year 735.<sup>5</sup>

Should it then appear probable, that Virgil had no opportunity of learning the SECRET of the mysteries, it will be something more than probable that he has not revealed what he never knew.

His Lordship will perhaps tell me, that Virgil might be initiated into the Eleusinian mysteries without making a journey to Athens: since those mysteries had been brought to Rome long before.<sup>6</sup> Here indeed I should be apt to suspect some mistake, or, at least, a want of precision in his Lordship's ideas; as Salmasius and Casaubon, men tolerably versed in antiquity, assure me, that indeed some Grecian ceremonies of Ceres had been practised at Rome from the earliest ages; but that the mysteries of Eleusis were never

<sup>1</sup> Donat. in Virgil.

<sup>2</sup> Id. *ibid.*

<sup>3</sup> They always began the fifteenth of the Attic month Boedromion, and lasted nine days. Those who take the trouble of calculating the Athenian calendar, on the principles laid down by Mr. Dodwell (*de Cyclis Antiquis*) and by Dr. Halley, will find, that A.U.C. Varr. 735, the 15th of Boedromion, coincided with the 24th of August of the Julian year. But if we may believe Dion Cassius, the celebration was this year anticipated, on account of Augustus and the Indian philosopher. L. LIV. Edit. Reimar.

<sup>4</sup> Strabo, L. xv.

<sup>5</sup> Donat. in Virgil.

<sup>6</sup> D. L. vol. i.

introduced into that capital, either by the emperor Hadrian, or by any other: and I am the more induced to believe, that these rites were not imported in Virgil's time, as the accurate Suetonius speaks of an unsuccessful attempt for that purpose, made by the emperor Claudius, above threescore years after Virgil's death.

II. None but the initiated COULD reveal the secret of the mysteries; and THE INITIATED COULD NOT REVEAL IT, WITHOUT VIOLATING THE LAWS, AS WELL OF HONOUR AS OF RELIGION. I sincerely acquit the Bishop of Gloucester of any design; yet so unfortunate is his system, that it represents a most virtuous and elegant poet, as equally devoid of taste, and of common honesty.

His Lordship acknowledges, that the initiated were bound to secrecy by the most solemn obligations;<sup>1</sup> that Virgil was conscious of the imputed impiety of his design; that at Athens he never durst have ventured on it; that even at Rome such a discovery was esteemed not only IMPIOUS but INFAMOUS: and yet his Lordship maintains, that after the compliment of a formal apology, —

Sit mihi fas, audita loqui.

Virgil lays open the whole SECRET of the mysteries under the thin veil of an allegory, which could deceive none but the most careless readers.

An apology! an allegory! Such artifices might perhaps have saved him from the sentence of the Areopagus, had some zealous or interested priest denounced him to that court, as guilty of publishing a BLASPHEMOUS POEM. But the laws of honour are more rigid, and yet more liberal than those of civil tribunals. Sense, not words, is considered; and guilt is aggravated, not protected, by artful evasions. Virgil would still have incurred the severe censure of a contemporary, who was himself a man of very little religion.

<sup>1</sup> D. L. vol. i.

Vetabo, qui Cereris sacrum  
 Vulgârit arcanaë, sub iisdem  
 Sit trabibus, fragilemque mecum  
 Solvat phaselum.<sup>1</sup>

Nor can I easily persuade myself, that the ingenuous mind of Virgil could have deserved this excommunication.

These lines belong to an ode of Horace, which has every merit except that of order. That death in our country's cause is pleasant and honourable; that virtue does not depend on the caprice of a popular election; and that the mysteries of Ceres ought not to be disclosed, are ideas which have no apparent connection. The beautiful disorder of lyric poetry, is the usual apology made by professed critics on these occasions:—

Son style impétueux, souvent marche au hasard;  
 Chez elle, un beau désordre est un effet de l'art;<sup>2</sup>

An insufficient apology for the few, who dare judge from their own feelings. I shall not deny, that the irregular notes of an untutored muse have sometimes delighted me. We can very seldom be displeased with the unconstrained workings of nature. But the liberty of an outlaw is very different from that of a savage. It is a mighty disagreeable sight, to observe a lyric writer of taste and reflexion striving to forget the laws of composition, disjoining the order of his ideas, and working himself up into artificial madness:

Ut cum ratione insaniat.

I had once succeeded (as I thought) in removing this defect, by the help of an hypothesis which connected the several parts of Horace's ode with each other. My ideas appeared (I mean to myself) most ingeniously conceived. I read the ode once more, and burnt my hypothesis. But to return to our principal subject.

The date of this ode may be of use to us; and the date may

<sup>1</sup> Horat. L. III. Od. ii.

<sup>2</sup> Boileau, Art Poétique, L. ii. v. 72.



be fixed with tolerable certainty; from the mention of the PARTHIANS, who are described as the enemies against whom a brave youth should signalise his valour.

*Parthos feroces*  
Vexet eques metuendus hastâ, &c.

Those who are used to the LABOURED HAPPINESS of all Horace's expressions <sup>1</sup> will readily allow, that if the Parthians are mentioned rather than the Britons or Cantabrians, the Gauls or the Dalmatians, it could be only at a time when the PARTHIAN WAR engaged the public attention. This reflection confines us between the years of Rome 729 and 735. Of these six years, that of 734 has a superior claim to the composition of the ode.

Julius Cæsar was prevented by death from revenging the defeat of Crassus. This glorious task, unsuccessfully attempted by Marc Antony, seemed to be reserved for the prudence and felicity of Augustus; who became sole master of the Roman world in the year 724; but it was not till the year 729, that, having changed the civil administration and pacified the Western provinces, he had leisure to turn his views toward the East. From that time, Horace, in compliance with the public wish, began to animate both prince and people to revenge the manes of Crassus.<sup>2</sup> The cautious policy of Augustus, still averse to war, was at length roused in the year 734, by some disturbances in Armenia. He passed over into Asia, and sent the young Tiberius with an army beyond the Euphrates. Every appearance promised a glorious war. But the Parthian monarch, Phrahates, alarmed at the approach of the Roman legions, and diffident

<sup>1</sup> *Curiosa Felicitas*. The ingenious Dr. Warton has a very strong dislike to this celebrated character of Horace. I suspect that I am in the wrong, since, in a point of criticism, I differ from Dr. Warton. I cannot, however, forbear thinking that the expression is *itself* what Petronius wished to describe; the happy union of such ease as seems the gift of fortune, with such justness as can only be the result of care and labour.

<sup>2</sup> Horat. L. I. Od. ii.

of the fidelity of his subjects, diverted the storm, by a timely and humble submission : —

—— Jus, imperiumque Phrahates  
Cæsaris accepit genibus minor.<sup>1</sup>

Cæsar returned in triumph to Rome, with the Parthian hostages, and the Roman ensigns, which had been taken from Crassus.

These busy scenes, which engage the attention of contemporaries, are far less interesting to posterity, than the silent labours, or even amusements, of a man of genius.

—— Cæsar dum magnus ad altum  
Fulminat Euphraten bello, victorque volentes  
Per populos dat jura, viamque adfectat Olympo.  
Illo Virgilium me tempore dulcis alebat  
Parthenope, studiis florentem ignobilis ott.

Whilst Cæsar humbled the Parthians, Virgil was composing the Æneid. It is well known, that this noble poem occupied the author, without being able to satisfy him, during the last twelve years of his life, from the year 723 to the year 735.<sup>2</sup> The public expectation was soon raised, and the modest Virgil was sometimes obliged to gratify the impatient curiosity of his friends. Soon after the death of young Marcellus,<sup>3</sup> he recited the second, fourth, and SIXTH books of the Æneid, in the presence of Augustus and Octavia.<sup>4</sup> He even sometimes read parts of his work to more numerous companies; with a desire of obtaining their judgment, rather than their applause. In this manner, Propertius seems to have heard the SHIELD OF ÆNEAS, and from that specimen he ventures to foretell the approaching birth of a poem which will surpass the Iliad.

Actia Virgilium custodis litora Phœbi,  
Cæsaris et fortes dicere posse rates.  
Qui nunc Æneæ Trojani suscitât arma,

<sup>1</sup> Horat. L. i. Epist. xii.

<sup>2</sup> Marcellus died in the latter end of the year 731.

<sup>3</sup> Donat. in Virgil.

<sup>4</sup> Donat. in Virgil.

Jactaque Lavinis mœnia litoribus.  
Cedite Romani scriptores, cedite Graii,  
Nescio quid majus nascitur Iliade.<sup>1</sup>

As a friend and as a critic, Horace was entitled to all Virgil's confidence, and was probably acquainted with the whole progress of the *Æneid*, from the first rude sketch, which Virgil drew up in prose, to that harmonious poetry, which the author alone thought unworthy of posterity.

To resume my idea, which depended on this long deduction of circumstances; when Horace composed the second ode of his third book, the *Æneid*, and particularly the sixth book, were already known to the public. The detestation of the wretch who reveals the mysteries of Ceres, though expressed in general terms, must be applied by all Rome to the author of the sixth book of the *Æneid*. Can we seriously suppose, THAT HORACE WOULD HAVE BRANDED WITH SUCH WANTON INFAMY, ONE OF THE MEN IN THE WORLD WHOM HE LOVED AND HONOURED THE MOST? <sup>2</sup>

Nothing remains to say, except that Horace was himself ignorant of his friend's allegorical meaning, which the Bishop of Gloucester has since revealed to the world. It may be so; yet, for my own part, I should be very well satisfied with understanding Virgil no better than Horace did.

✓ It is perhaps some such foolish fondness for antiquity which inclines me to doubt, whether the BISHOP OF GLOUCESTER has really united the severe sense of ARISTOTLE with the sublime imagination of LONGINUS. Yet a judicious critic (who is now, I believe, ARCHDEACON OF GLOUCESTER) assures the public, that his patron's mere amusements have done much more than the joint labours of the two Grecians. I shall conclude these Observations with a remarkable passage from the Archdeacon's Dedication :<sup>3</sup> "It was not enough,

<sup>1</sup> Propert. L. ii. El. xxv. v. 66.

<sup>2</sup> Horat. L. i. Od. iii. L. i. Serm. v. ver. 39, &c.

<sup>3</sup> See the Dedication of Horace's Epistle to Augustus, with an English commentary and notes.

in YOUR ENLARGED VIEW OF THINGS, to restore either of these models (ARISTOTLE or LONGINUS) to their original splendour. They were both to be revived; or rather A NEW ORIGINAL PLAN OF CRITICISM to be struck out, WHICH SHOULD UNITE THE VIRTUES OF EACH OF THEM. This experiment was made on the two greatest of our own poets, (Shakspeare and Pope,) and by reflecting all the LIGHTS OF THE IMAGINATION ON THE SEVEREST REASON, every thing was effected which the warmest admirer of ancient art could promise himself from such a union. BUT YOU WENT FARTHER: by joining to these powers A PERFECT INSIGHT INTO HUMAN NATURE; and so ennobling the exercise of literary, by the justest moral censure, YOU HAVE NOW AT LENGTH ADVANCED CRITICISM TO ITS FULL GLORY."

### POSTSCRIPT

I WAS not ignorant, that several years since, the Rev. Dr. Jortin had favoured the Public with a DISSERTATION ON THE STATE OF THE DEAD, AS DESCRIBED BY HOMER AND VIRGIL:<sup>1</sup> but the book is now grown so scarce, that I was not able to procure a sight of it till after these papers had been already sent to the press. I found Dr. Jortin's performance, as I expected, moderate, learned, and critical. Among a variety of ingenious observations, there are two or three which are very closely connected with my present subject.

I had passed over in silence one argument of the Bishop of Gloucester, or rather of Scarron and the Bishop of Gloucester; since the former found the remark, and the latter furnished the inference.

*Discite justitiam moniti, et non temnere divos,*

cries the unfortunate Phlegyas. In the midst of his torments, he preaches justice and piety, like Ixion in Pindar. A very

<sup>1</sup> Six Dissertations on different Subjects, published in a volume in octavo, in the year 1755. It is the Sixth Dissertation, p. 207-324.

useful piece of advice, says the French buffoon, for those who were already damned to all eternity:

Cette sentence est bonne et belle:  
Mais en enfer, de quoi sert-elle?

From this judicious piece of criticism his lordship argues, that Phlegyas was preaching not to the dead, but to the living; and that Virgil is only describing the mimic Tartarus, which was exhibited at Eleusis for the instruction of the initiated.

I shall transcribe one or two of the reasons, which Dr. Jortin condescends to oppose to Scarron's criticism.

"To preach to the damned, says he, is labour in vain. And what if it is? It might be part of his punishment, to exhort himself and others, when exhortations were too late. This admonition as far as it relates to himself and his companions in misery, is to be looked upon not so much as an admonition to mend, but as a bitter sarcasm, and reproaching of past iniquities.

"It is labour in vain. But in the poetical system, it seems to have been the occupation of the damned to labour in vain, to catch at meat and drink that fled from them, &c.

"His instruction, like that of Ixion in Pindar, might be for the use of the living. You will say, *how can that be?* Surely nothing is more easy and intelligible. The Muses hear him — The Muses reveal it to the poet, and the inspired poet reveals it to mankind. And so much for Phlegyas and Monsieur Scarron."

It is prettily observed by Dr. Jortin, "That Virgil, after having shone out with full splendour through the sixth book, sets at last in a cloud." The IVORY GATE puzzles every commentator, and grieves every lover of Virgil: yet it affords no advantages to the Bishop of Gloucester. The objection presses as hard on the notion of an initiation, as on that of a real descent to the shades. "The troublesome conclusion still remains as it was; and from the manner in which the

hero is dismissed after the ceremonies, we learn, that in those initiations, the machinery, and the whole show, was (in the Poet's opinion) a representation of things, which had no truth or reality.

Altera candenti perfecta nitens elephanto:  
Sed **FALSA** ad cœlum mittunt **INSOMNIA** manes.

"Dreams in general may be called *vain* and *deceitful*, *somnia vana*, or *somnia falsa*, if you will, as they are opposed to the *real* objects which present themselves to us when we are awake. But when *false* dreams are opposed to *true* ones, there the epithet *falsa* has another meaning. True dreams represent what is real, and shew what is true; false dreams represent things which are not, or which are not true. Thus Homer and Virgil, and many other poets, and indeed the nature of the thing, distinguish them."

Dr. Jortin, though with reluctance, acquiesces in the common opinion, that by six unlucky lines, Virgil is destroying the beautiful system, which it has cost him eight hundred to raise. He explains too this preposterous conduct, by the usual expedient of the poet's epicurism. I only differ from him in attributing to haste and indiscretion, what he considers as the result of design.

Another reason, both new and ingenious, is assigned by Dr. Jortin, for Virgil explaining away his hero's descent into an idle dream. "All communication with the dead, the infernal powers, &c. belonged to the art of magic, and magic was held in abomination by the Romans. Yet if it was held in **ABOMINATION**, it was supposed to be real. A writer would not have made his court to James the First, by representing the stories of witchcraft as the phantoms of an over-heated imagination.

Whilst I am writing, a sudden thought occurs to me, which, rude and imperfect as it is, I shall venture to throw out to the public. It is this. After Virgil, in imitation of Homer,

had described the two gates of sleep, the horn, and the ivory, he again takes up the first in a different sense:—

— QUA VERIS FACILIS DATUR EXITUS UMBRIS.

The TRUE SHADES, VERÆ UMBRÆ, were those airy forms which were continually sent to animate new bodies, such light and almost immaterial natures as could without difficulty pass through a thin transparent substance. In this new sense, Æneas and the Sybil, who were still encumbered with a load of flesh, could not pretend to the prerogative of TRUE SHADES. In their passage over the Styx, they had almost sunk Charon's boat.

————— Gemuit sub pondere cymba  
Sutilis, et multam accepit rimosa paludem.

Some other expedient was requisite for their return; and since the horn gate would not afford them an easy dismissal, the other passage, which was adorned with polished ivory, was the only one that remained either for them, or for the poet.

By this explanation, we save Virgil's judgment and religion, though I must own, at the expense of an uncommon harshness and ambiguity of expression. Let it only be remembered, that those, who in desperate cases conjecture with modesty, have a right to be heard with indulgence.